

VISA COMPARISON: J-1 VS H-1B

	J-1 Exchange Visitor	H-1B Temporary Worker
Purpose	Educational & cultural exchange	Temporary employment in a specialty occupation
Examples of Appropriate UCSF Appointments	Entry to mid-level researchers, Postdoctoral Scholars & Paid Direct, Visiting Scholars without salary Non-tenure track junior & visiting faculty	Mid to senior level researchers, Postdoctoral Scholars Any academic employee Title
Requirements	Must pursue academic program objective and engage in program-related activities only Compliance with Department of State and Department of Homeland Security regulations	H-1B petition must be approved by Department of Homeland Security USCIS Salary, paid by UCSF payroll, must meet or exceed a Department of Labor prevailing wage
Changes in Appointment	Must be reviewed and approved by ISSO and must support and not delay or disrupt original program objective Early program completions & terminations must be reported to ISSO to close SEVIS record	Material change in title, salary or job duties require an H-1B amendment filing with Department of Labor and Department of Homeland Security USCIS before change can be effective
Duration	Maximum 5 years in J-1 "Research Scholar" Maximum 6 months in J-1 "Short-Term Scholar"	H-1B status in U.S. limited to 6 aggregate years Department of Homeland Security USCIS approval up to 3 years per petition filing
Costs	Approximately \$610 to \$1,290	Approximately \$4,000
Processing Times	For initials: 2 to 4 months lead time to allow for visitor to undergo possible security screening by DOS/FBI, secure J-1 visa, make travel arrangements, etc. 10 business-day turnaround for Form DS-2019 upon submission of complete and accurate J-1 request	4 to 6 months lead time for DOL and DHS review

<p>Funding/Salary</p>	<p>UCSF Postdocs must be paid according to NIH/NRSA scale and the full agreement between UC and UAW (see UCOP website) J-1 visitors in campus titles other than postdoc must be funded to a minimum \$2,210 per month (may be self-funding, home institution, 3rd party or any combination thereof)</p>	<p>100% of salary must be paid by UCSF payroll</p> <p>Not eligible for honorarium</p>
<p>Insurance</p>	<p>UCSF Postdocs covered by UC agreement (dependent benefits must be covered by PI) J-1 visitors not in postdoc titles may be paid for by department or the scholar ALL J-1 and J-2 visitors must have insurance that meets Dept. of State minimum levels.</p>	<p>Standard University benefits</p>
<p>Post Program Consideration</p>	<p>212(e) 2 year home residency requirement may apply to all J-1 Exchange Visitors 24-month bar applies to all J-1 Research Scholar/Professor category visitors 12-month bar applies to all J-1 Research Scholar/Professor category visitors who spent more than 6 months in another J-1 category in the preceding 12 months</p>	<p>Dual intent: May choose to return to home country after program completion or immigrate to the US (apply for permanent residence)</p>
<p>Transfers</p>	<p>Transfers in from/out to other J-1 sponsors possible Intra-UCSF transfers also possible if original program objective is maintained</p>	<p>Change of employer requires new employer to file H-1B transfer petition with DHS USCIS</p> <p>UCSF Medical Center, HHMI & Gladstone, while UCSF affiliated, are different employers and file their own H-1B petitions</p>
<p>Outside Activity</p>	<p>Outside activity related to program objective may be permitted if such activity is incidental, and supports and does not delay/disrupt original program objective</p> <p>Payment/reimbursement/honoraria may be authorized if documented in SEVIS prior to activity</p>	<p>Work activity limited to UCSF worksite</p> <p>Check with ISSO for placement outside of UCSF worksite</p>
<p>Dependents</p>	<p>Spouse & children under 21 may obtain J-2 visa</p> <p>Spouse eligible for J-2 work authorization upon personal application to USCIS</p> <p>Spouse and children eligible for full/part-time study</p> <p>J-2 completely dependent upon J-1 status</p>	<p>Spouse & children under 21 may obtain H-4 visa</p> <p>H-4 visa holders not allowed to work</p>