

H-1B Temporary Employment For International Workers

Q & A

What is required when an international worker requires a work visa?

Contact the Human Resources Manager, Caren Lincoln by email at clincoln@ewu.edu or by telephone at 509-359-2381. Ms. Lincoln will work with the department/college and the University's legal counsel to initiate and facilitate the application process for the immigration visa.

What positions are eligible for H-1B status employees?

Eastern Washington University may seek H-1B status on behalf of international workers with bachelor degrees, master's degrees or Ph.Ds. who are in specialty occupations. EWU does not sponsor H-1B status for part time employees.

How long is the H-1B visa application process?

Processing times vary on a case-by-case basis. Departments and colleges should allow a minimum of four to five months to administer H-1B applications which require extensive documentation and are processed by the University's Human Resources Office in consultation with the University's assigned legal counsel.

What factors should be considered when determining start date?

Most factors which impact the timing of the H-1B approval are outside the control of the University. Some factors to evaluate in determining start date are: pre-filing preparation and processing required for Human Resources and assigned legal counsel (approximately 1 month); processing time for Department of Labor and Immigration Services (approximately 3 to 4 months); employee's travel itineraries; expiration of current visa status, gaps in current work authorization including an employee changing to H-1B status; potential delays caused by requests for more evidence from Department of Labor and Immigration Services; and whether the individual is currently outside of the U.S. or required to travel outside of the U.S. before beginning employment. If an earlier start date is necessary, then Premium Processing should be considered.

What are the job applicant's responsibilities in the visa process?

Job applicant must work with Human Resources to complete the immigration questionnaire and to provide copies of necessary documents which may include: CV/resume; passport; approved waiver of Two-Year Home Country Residency Requirement; diplomas; all I-20's, DS-2019 I-797 or H-4 approvals; W-2 forms; 1099 forms and three most recent pay stubs; most recent form I-94; EAD (if applicable); and information on dependents including marriage license, birth certificate(s), and passports. The job applicant/employee is also responsible for any costs associated with processing an H-4 for dependents.

Can a job candidate apply for an H-1B without the department/college's involvement?

No, Eastern Washington University, as the employer, must petition U.S.C.I.S. for the status with the employee as the beneficiary.

What are University's responsibilities in the visa process?

The University must file the petition with the United States Citizen and Immigration Services. As part of the process, the University must file a Labor Condition Application with Department of Labor and pay the US.C.I.S. service processing fees. If employment ends before the expiration of an EWU sponsored visa, the University must pay the reasonable costs of return transportation of the employee abroad unless the employee voluntarily leaves. If an employee leaves before the expiration of a visa, EWU must notify U.S.C.I.S. and U.S.D.O.L within 10 days regardless of reason for termination of employment.

How much are fees*?

Form I-129 filing fee (application for an H-1B) -- \$460

Fraud Fee--\$500

Premium Processing Fee (expedited processing) -- \$1,410 (This is an optional fee and must be approved by the appropriate Vice Presidential unit and paid by hiring department. An employee can request and pay the premium processing fees for his/her personal convenience).

Legal Fees: vary on a case-by-case basis.

*Fees are subject to change. The current average cost to Eastern Washington University for a standard H-1B is \$2535 (\$3945 with premium processing).

What if an applicant requests Permanent Residence (Green Card)?

EWU must have a meaningful opportunity to observe and evaluate the performance of an employee before determining whether to sponsor permanent residence. As a result, departments and colleges will refrain from making any representations regarding EWU sponsorship at the time of hire. This process is typically limited to probationary faculty and approval of the Provost and Vice President for Academic Affairs.

Who should I contact if I have questions or need assistance?

Contact Human Resources at 509-359-2381.