

Extensions

An H-1B extension is possible if a Yale employee is in H-1B status and is seeking to remain in their position at Yale for a longer period of time (within the six year maximum). The processing time for an H-1B extension is the same as an initial H-1B. The scholar and department must inform OISS and begin the application process **at least 6-7 months prior to the current H-1B expiration date** so that OISS knows to anticipate and plan for the extension. OISS advisers prioritize all H-1B requests in order of the beneficiaries' current status end dates and the dates of their request submission to meet timely petition submission deadlines. If OISS does not receive complete and accurate materials in a timely fashion the scholar may have to cease employment with Yale and depart from the U.S. Please follow the steps on the H-1B [Application](#) [1] page.

Is Anything Different With an H-1B Extension?

Approval Review: Each extension petition is evaluated as if it is the very first H-1B request. Having been approved for H-1B status previously, does not mean that an extension of H-1B status is guaranteed.

Risk During Period Between Current H and New H Approval: While there is a legal provision to allow continued employment while waiting for the new H-1B extension approval notice (see "Getting Paid" below) occasionally there is some risk of the application being questioned which could in extreme cases lead to the scholar having to depart the U.S. temporarily. The OISS adviser will evaluate each H-1B extension case to try to determine, to the best of our ability, any risk factor. OISS recommends using Premium Processing in most cases to ensure getting the extension approval quickly. Please speak to your [OISS adviser](#) [2] about the best course of action for each H extension case.

Travel: Traveling outside the U.S. during the H-1B extension process comes with some risks. Please consult with your [OISS adviser](#) [2] before making a travel plan. Please disclose any international travel plans before the extension process begins. For more information, visit [Traveling in H-1B Status](#). [3]

Getting Paid: As long as the extension application is filed with USCIS in a timely manner (before the expiration of the current H-1B status) the employee does not have to wait for the official USCIS H-1B approval notice (Form I-797). Regulations allow the employee to continue to work and be paid for up to 240 days after the expiration of their current H-1B status. Therefore, in some cases "Premium Processing" may not necessary. However please speak to your OISS adviser about any risks in utilizing the 240 day rule (also see the above "Risk During Period Between Current H and New H Approval" section).

Source

URL: <https://oiss.yale.edu/for-departments/visa-options-for-international-faculty-and-researchers/about-h-1b-visas/extensions>

Links

[1] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-resources/department-application-instructions> [2] <https://oiss.yale.edu/about/contact-oiss> [3] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/traveling-in-h-1b-status>
