

Waiting for the Approval

[Waiting for the Approval](#) [1]

The Department of Labor (DOL) and US Citizenship and Immigration Services (USCIS) processing **will take several months**. Review the [H-1B processing time](#) [2] information for details. Your [OISS adviser](#) [3] will provide additional guidance on the current processing time frames if they have changed. Once the DOL steps and the H-1B petition (Form I-129) are complete, the OISS adviser will submit the petition to USCIS.

- Approximately two weeks after the petition is received by USCIS, OISS should receive a receipt notice providing a case number. At that time employees may contact the OISS adviser handling their case to request their case number so they may [monitor their case online](#). [4]
- Please check the receipt immediately for any errors in the spelling of the name(s) and call the customer service number on the form to request a correction if an error has been made.
- OISS will email the employee and department contact with next steps information as soon as the USCIS approval notice (Form I-797) is received. If you are monitoring the case status online, please note it will take up to two weeks for OISS to receive the official approval notice in the mail.
- **For scholars/employee currently outside the U.S.**, once USCIS approves the petition, OISS will send the approval notice and petition copy to the scholar by courier. These materials will be used to apply for the H-1B visa for U.S. entry at the American Embassy designated by the scholar.

Additional Information

[Premium Processing](#) [5]

If the original petition was filed without premium processing and you want to add it to shorten the processing time, please speak to an [OISS adviser](#) [6] for details.

Dependents

If the Forms I-539/I-539A were filed for dependents (in the U.S.), all related documents to the application (receipt/approval notice, etc.) will be sent to the address noted on their application form.

Change of Status to H-1B

- In order to continue employment, employees must receive approval of the change of status to H-1B by the expiration date of your current work authorization/status .
- [Employees should not plan travel during the pending petition process](#) [7]. If an emergency arises and travel is required during the processing period contact your [OISS adviser](#) [6] who will provide guidance, which may include the use of [Premium Processing](#) [8].

Change of H-1B Employer to Yale

- Employees may begin Yale employment as soon as OISS confirms receipt of the official USCIS receipt notice with case number AND as of the requested start date within the petition filed with USCIS.
- Employees may work according to the '240-day rule' while awaiting final approval of the petition. The '240-day rule' authorizes the scholar to work up to a period of 240 days from the date immigration receives the petition (or up to the new expiration date, whichever is earlier), while pending, per 8 CFR#274a.12.

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- [Employees should not plan travel during the pending petition process](#) [7]. If an emergency arises and travel is required during the processing period contact your [OISS adviser](#) [6] who will provide guidance, which may include the use of [Premium Processing](#) [8].

[H-1B Extension Petitions](#) [9]

Scholars may continue working for up to 240 days (past the current H-1B expiration date) while the H-1B extension application is pending as long as the all conditions below are met:

- OISS has received the new USCIS H-1B extension receipt notice (I-797)
- The H-1B extension requested is for the exact same position

If an emergency arises and travel is required during the processing period contact your [OISS adviser](#) [6] who will provide guidance, which may include the use of [Premium Processing](#) [8].

Source

URL: <https://oiss.yale.edu/immigration/h-1b-temporary-worker/application-overview/waiting-for-the-approval>

Links

[1] <https://oiss.yale.edu/for-departments/inviting-a-scholar/next-steps-for-h-1b/waiting-for-the-approval> [2]
<https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-overview/h-1b-processing-time> [3]
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