Department Application Instructions

Before you begin the application steps below please review the following:

Processing Time

The fastest processing time using Premium Processing is about three months, [1] regular processing can take twice as long.

General Considerations

- Before departments choose the H-1B status for a scholar, please review information about eligibility [2] and associated fees [3].
- It is critical departments understand they are responsible for return transportation costs for any H-1B employee who is terminated prior to the end of the authorized stay and who chooses to return to their home country.
- H-1B may be granted for a period of up to three years and can be extended to a maximum of six years (regardless of the number of employers).

Application Procedure for H-1B

- For new Yale sponsored employment, first use OISS Connect to submit biographic and appointment information. If the scholar already has an OISS Connect for the current appointment, please skip this step.
  Note: If you are requesting H-1B for a current Yale employee, skip this step. You do not need to update the existing OISS Connect record of the employee/beneficiary.

  Complete the following and submit directly by email to your OISS adviser; [4]

  - The H-1B Support letter (see instructions) [5]
  - Actual Wage Form: [6]

Per Department of Labor regulations, this form is to document how the H-1B employee/beneficiary’s actual wage is determined by discussing the conditions of other similarly employed workers in the work unit. Examples of “similarly employed workers in the work unit” are: (1) All Postdoc Associates in the same lab/on the same grant of the PI, (2) All Associate Professors in the section/unit. If your department does not have such sub work units (labs, sections, units, etc.), you may count all appointees with the same title who have the same years of service: e.g. PGY 3 Postdoc Associates, Year 1 Associate Research Scientist, etc. If you have questions, contact your OISS adviser [4].

  - Prevailing Wage Form: [7]

Per Department of Labor regulations, this form is to document terms and conditions of the offered position, e.g. required job duties, degree level and field requirements, prior professional experience requirement, etc. to hold the position. as they would be reflected in a position announcement. This form is NOT to outline the H-1B employee/beneficiary’s credentials.

  - Deemed Export Control Form [8]

1. These forms must be submitted to OISS as soon as possible in order to start the H-1B process. You can
also download these forms as a packet (excluding the sample support letter) below
Download the H-1B Application Packet [9]

Fees and Courier Label

You must also complete the following and submit to an OISS adviser [4]:

- Application Fees form [10]
- A courier label in order to send the application to immigration services
  (address can be found on the Application Fees form [10]) - Note: Filing H-1B petitions with USCIS is a time sensitive matter. Based on proximity to store locations and drop-off boxes, OISS keeps mailing supplies only for FedEx and UPS to achieve quicker and more efficient delivery results.

Contact the scholar and ask them to begin work on the "H-1B Scholar Application" materials. These materials can be found on this website [11].

After You Submit to OISS

OISS will send you a Notice of Filing Labor Condition Application with the employment information already filled in. Please follow the instructions on the form regarding the posting and completing the form. The OISS will then prepare the rest of the H-1B application (with all the materials provided by the department and individual). Upon receiving approval from the Department of Labor, OISS will file the H-1B application with the U.S. Citizenship and Immigration Services (USCIS).

When OISS receives the approval notice from the USCIS, the OISS adviser will contact the department and the beneficiary. If the beneficiary is overseas, OISS will send the approval notice to the beneficiary who must then apply for an H-1B visa to use to enter the U.S. The department is responsible for sending the approval notice to the beneficiary, via courier service. The beneficiary must complete or update the I-9 Form which can be done at any of the Yale I-9 centers. OISS is one of these centers.

Source URL: https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-overview/department-application-instructions

Links:
[1] https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-resources/h-1b-processing-time
[3] https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-resources/fee-requirements
[4] https://oiss.yale.edu/about/contact-oiss