H-1B Processing Time

There are two separate government agencies involved in H-1B visa sponsorship: the U.S. Department of Labor (DOL) and the United States Citizenship and Immigration Services office (USCIS). The total processing time includes Yale preparation (host department and international scholar), DOL and USCIS. The DOL process must be completed prior to submitting the H-1B request to USCIS, but not more than 6 months prior to the requested H-1B start date. The only step that can be expedited is the last one: USCIS. Regular processing ($460) can take 6 - 10 months.

6 – 10 months with Regular Processing for USCIS to respond to H-1B petition

15 – 30 days with Premium Processing for USCIS to respond to H-1B petition (includes mailing)

3 – 4 months to prepare H-1B documents

Please note that processing times can be longer should a petition receive a Request For Evidence (RFE). Additionally, all USCIS processing times can change without notice.

Additional Considerations

- **Premium Processing**: Premium Processing, for an additional $1,440 USCIS fee, [1] will take a minimum of 3 months. However this service can no longer be relied upon. Over the past few years (particularly in the busy USCIS spring season) Premium Processing has been temporarily suspended leaving Yale employees not knowing when they will get their H-1B petitions approved. Therefore it is critical to submit materials for any H-1B request (initial or extension) as soon as possible. While the Department of Labor will not allow H-1B processing to begin earlier than six months prior to the start date, we recommend submitting all materials to OISS at least seven months in advance (so that we have time to prepare the application before mailing to USCIS.)

- **Yale employee H-1B extension of time**: It is not always necessary to use Premium Processing for extensions, since in most cases the employee can continue to work while the application is pending. However OISS recommends using Premium Processing in most cases to ensure getting the extension quickly. See details here [2].

- **H-1B inside the U.S. with another employer**: It is normally not necessary to use Premium Processing for a change of employer, since in many cases the employee can continue to work while the new Yale application is pending. However there are specific conditions that must be met. The process is called Portability. [3]

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Links:
[1] https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-resources/fee-requirements