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 (USCIS). It is rare that an H-1B is approved in less than 4 months using the expedited Premium Processing. The processing time includes Yale preparation (host department, H-1B beneficiary, OISS), DOL and USCIS. The DOL process must be completed prior to submitting the H-1B petition to USCIS, but may not start more than 6 months prior to the requested H-1B start date. The only step that can be expedited is the last phase either at or after the H-1B petition is submitted to USCIS.

Additional Considerations

- **Premium Processing:** Premium Processing, at an additional $2500 USCIS fee, [1] will expedite the USCIS phase while this service is available.
- While the Department of Labor will not allow H-1B processing to begin earlier than six months prior to the start date, OISS recommends submitting all materials to OISS at least seven months in advance to be officially part of the OISS processing queue. 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.
- **Yale employee H-1B extensions:** 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. Remember that preparation time can still take about 3-4 months even with an extension.
- **H-1B inside the U.S. with another employer:** It is not always 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 (Changing Employers). [2]

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

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