

Extensions

An H-1B extension can be requested for a Yale employee whose current appointment has been extended. Extensions can be granted in increments of three years for a cumulative total of six years, regardless of the number of employers.

When to Start the Extension Process

- An extension application includes all of the same steps (DOL, USCIS, etc.) as an initial H-1B application, and takes at least four months for processing before being filed with USCIS.
 - Contact your department administrator six to eight months prior to the expiration of your current H-1B status to discuss the extension of your H-1B status and begin the process with OISS six months before the current stay ends. If the process is delayed, it may be necessary for the H-1B employee to go on unpaid leave, depart from the U.S., and wait for the new H-1B petition to be approved.
 - The application must be received by the United States Citizenship and Immigration Services (USCIS) before the expiration of the current H-1B status noted on the most current I-94 record.
 - H-1B employees 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 H-1B extension requested is for the exact same position and OISS has received the new USCIS H-1B extension receipt notice (I-797).
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When Does the Current H-1B Status Expire?

Generally, the H-1B status expires on the end date on the approved petition. However, it is important to pay close attention to the most recent I-94 record (the one attached to the I-797 approval notice or electronic version issued upon entry to the U.S. from a trip abroad after the H-1B is approved). The I-94 end date may be different than the approved H-1B period end date. **If the dates do not match, an H-1B employee may work under the approved H-1B conditions until the petition end date or I-94 end date, whichever comes first.** If an H-1B extension is needed, it must be filed with USCIS before the I-94 end date.

See the table below for more details:

i-94 and h-1b end date comparison

I-94 end date is earlier

H-1B status AND work authorization in the U.S. will end on the I-94 end date, and you are required to leave the U.S. by the I-94 end date. If [H-1B extension](#) [1] is needed, the extension petition must be filed with USCIS before your I-94 end date.

H-1B petition period end date is earlier

Work authorization will end on the petition end date, and the H-1B employee is required to leave the U.S. by the I-94 end date. If [H-1B extension](#) [1] is needed, the extension petition must be filed with USCIS before the petition end date in this case.

Traveling?

Be sure to review the [Traveling in H-1B Status](#) [2] page. Pay special attention to the [Passport Expiration](#) [3] section.

H-1B Extension Process

Please review and follow the instructions on the [Applying from Inside the U.S.](#) [4] page.

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Links

[1] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-resources/scholar-application-instructions#extensions> [2] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-resources/traveling-in-h-1b-status#passport-expiration> [3] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/maintaining-legal-status/traveling-in-h-1b-status#passportexp> [4] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/application-overview/applying-from-inside-the-us>