After H-1B

The H-1B has a limited duration of a 6-year cumulative total time. For those who might want or need to stay longer than this it is important to communicate with your OISS adviser[1] at least 6 months in advance. Please review the following points and speak to your OISS adviser [1].

Reclaiming H-1B Time

If during your H-1B stay you have taken vacation or business trips outside of the U.S., you may be able to “reclaim” this time in the form of an H-1B extension application through OISS.

Restarting the H-1B Time Period

If you have H-1B status but then leave, and live outside the U.S. for 12 months or more, you can apply to return to the U.S. in a new H-1B status that includes a new 6 year maximum.

Extending H1-B Beyond 6 Years

There is a legal provision that allows some people to extend their H-1B beyond 6 years, as long as they have submitted a non-frivolous application for Legal Permanent resident status (LPR/ green card) at least one year prior to the end of the H-1B. Please speak to your immigration attorney and your OISS adviser about this option.

Changing to Other Visas

Normally the only visa option is the O-1. Many people do not qualify for the O-1 since it requires a very high standard of achievement.[2]

Legal Permanent Residency (LPR)

If it is your desire to apply for LPR status you need to plan several years in advance. Some scholars will qualify to have Yale sponsor them for LPR and others will not. In your 4th year of H-1B status you should ask Uma Shankar in OISS evaluate whether or not you qualify.[3] If you don’t qualify for Yale sponsorship, you should ask an attorney about a Self Sponsored application [4].

Source URL: https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/after-h-1b

Links:
[1] https://oiss.yale.edu/about/contact-oiss
[2] https://oiss.yale.edu/immigration/o-1-extraordinary-ability-overview