Maintaining Legal Status

H-1B status is like a contract, and it is specific to one employer and specific dates and activities as listed on the petition. In order to remain in legal H-1B status the scholar must maintain each element of the original application including:

- salary
- work location
- full-time
- appointment title
- field of work
- job duties
- and other work conditions

Making Changes

If the hiring department wants to change any of these conditions (including any addition of teaching), they must consult with their OISS adviser [1] first. In some cases an entire new H-1B application and fees are required to make changes in the employment.

Payments

H-1B scholars may not accept compensation, including honoraria, from any other employer or entity other than those named in the original H-1B application. Scholars in H-1B status who are invited to give a lecture off-campus, collaborate or conduct research with other schools can receive reimbursement for reasonable living and transportation costs only.

More Than One Employer

A scholar may work for more than one employer, but each employer must file a separate H-1B application.

Address Update

All nonimmigrant visa holders are required to notify USCIS within 10 days of a change of residential address. H-1B visa holders may report a change of address by completing Form AR-11 or Form AR-11SR. You can update your address on this website [2].

Pay Attention to the I-94 Validity

Please pay extra attention to your most recent I-94 record: one attached to the I-797 approval notice or electronic version [3] issued upon your entry to the U.S. from a trip abroad after H-1B is approved. The I-94 end date may be different than the approved H-1B period end date.

- If 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 [4] is needed, the extension petition must be filed with USCIS before your I-94 end date.
- If later, our work authorization will end on the petition end date, and you are required to leave the U.S. by the I-94 end date. If H-1B extension [4] is needed, the extension petition must be filed with USCIS before the petition end date in this case.
- If the appointment ends before the petition end date, please see here [5]
Source URL: https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/maintaining-legal-status

Links:
[1] https://oiss.yale.edu/about/contact-oiss
[2] https://oiss.yale.edu/immigration/report-your-address