Waiting for the Approval

Waiting for the Approval [1]

The Department of Labor (DOL) and USCIS (immigration) processing will take a minimum of 3 months start to finish using Premium Processing for an additional fee. [2] Regular processing can be twice as long. These timeframes can change, and the OISS adviser handling the case can provide guidance on the current processing time frames.

- Once the DOL steps and the H-1B petition (Form I-129) is complete the OISS adviser will submit the petition to USCIS.
- Approximately 10-14 days after the petition is received by USCIS, OISS should receive an official receipt notice providing a case number. At that time scholars may contact the OISS adviser handling their case to request their case number so they may monitor their case, online. [3]
- OISS will send an email notice to the scholar and department representative as soon as we receive the USCIS approval notice (Form I-797.)
- If you are monitoring your case status online, please note it can take as long as 7-10 days for OISS to receive the paper approval notice in the mail.

Additional Information

Please note that your Yale University H-1B sponsorship gives you employment permission ONLY for the specific job at Yale described in the application. For further instructions, please select your H-1B category below:

Premium Processing [4]

- Costs an additional $1,440 and shortens the USCIS processing time (but does not shorten any other steps) to 15 days
- May be requested either at the time of the initial filing or after filing a regular processing application (in order to shorten the processing time). Please speak to an OISS Adviser for details.

Dependents

If the Form I-539 was filed for dependents (in the U.S.), this receipt (and later the dependent(s) approval notice) will be sent to the address noted on the form.

Please check the receipt immediately for any errors in the spelling of the name(s) and call the customer service number on the form to report if an error has been made.

H-1B Extension Petitions

Scholars may continue working while the H-1B extension application is pending for up to 240 days (past the expiration of their current H-1B) as long as:

- OISS has received the new USCIS H-1B extension receipt, and
- They are working in the exact same job
- If an emergency arises and travel is required during the processing period contact your OISS adviser [5] who will provide guidance, which may include the use of Premium Processing [6].
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Change of Status to H-1B

- Scholars should not plan travel during the pending petition process (more information [7]).
- If an emergency arises and travel is required during the processing period contact your OISS adviser [5] who will provide guidance, which may include the use of Premium Processing [6].
- Scholars must receive approval of the change of status to H-1B by the expiration date of your current work authorization/status to continue employment.

Change of H-1B Employer to Yale (AC 21 Petitions)

- Scholars should not plan travel during the pending petition process (more information [8]).
- If an emergency arises and travel is required during the processing period contact your OISS adviser [5] who will provide guidance, which may include the use of Premium Processing [6].
- Scholars may begin Yale employment as soon as OISS confirms receipt of the official Immigration receipt notice with case number.
- Scholars may work according to the “240-day rule” while awaiting final approval of the petition.

- the “240-day rule” authorizes the scholar to work up to a period of 240 days from the date immigration receives the petition (or up to the new expiration date, whichever is earlier), while pending, per 8 Code of Federal Regulations #274a.12.

H-1B Cable Notification Petitions

For scholars currently outside the U.S.

- Once Immigration approves the petition, OISS will send the approval notice and petition copy to the scholar by courier.
- These materials will be used to apply for the H-1B visa for U.S. entry at the American Embassy designated by the scholar.

Source URL: https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/waiting-for-the-approval

Links:
[1] https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-overview/waiting-for-the-approval
[2] https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-resources/fee-requirements
[5] https://oiss.yale.edu/about/contact-oiss