



**Office of International Affairs**

214 Bradley Hall  
Lexington, KY 40506-0058  
859 257-4067, ext. 242  
fax 859 323-1026  
[www.uky.edu/intlaffairs](http://www.uky.edu/intlaffairs)

**Request for H-1B Status for a Bachelor Level Position**

H-1B sponsorship for positions requiring a **Bachelor's** degree must be reviewed by the Director of ISSS at the Office of International Affairs. To begin this process, submit the following form to Teresa Keller, H-1B Adviser at [teresa.keller@uky.edu](mailto:teresa.keller@uky.edu).

If this request is approved, the H-1B application will require the services of an attorney and further instructions will be sent to the department. *If the appeal is denied, the H-1B process may not be sought through any other means.*

**When an H-1B petition is filed by an outside attorney, all subsequent extensions of status or amendments must also be filed by the attorney.**

***Submit the candidate's curriculum vitae with the following information:***

**CANDIDATE:**

Name:

Current non-immigrant status:

Expiration date of current status:

Highest degree held:

Present position at UK, if applicable:

Telephone #:

E-mail:

If candidate has been in J status under the 2-year home-residency requirement, has a waiver been obtained?

**POSITION**

Title:

Specify degree level and specialty required (Ex: BS in Plant Science):

Job duties:

Salary:

Beginning date:

Ending date:

**Revised 12/2009**

**DEPARTMENT**

Name of Department:

Candidate's immediate supervisor:

Name:

Title:

E-mail:

Name of hiring official (if different from Supervisor):

E-mail:

**Statement of Chair (or designee):**

*I support this H-1B sponsorship and understand that the department is responsible for all fees in connection with the filing of an H-1B.*

Name of Chair (or designee):

Signature:

Date:

**The hiring professor AND chair must review, initial and then sign the following outline of H-1B guidelines:**

**Hiring the Temporary Worker on the H-1B Visa  
Professor's Acknowledgement**

An H-1B temporary worker is defined as a person who will perform services in a specialty occupation and who will be hired temporarily to perform services of an exceptional nature requiring merit and ability.

As the hiring professor/department chair, I understand that: (Please initial each section)

- The department is responsible for attorney fees associated with the H-1B application and the following USCIS filing fees:

\_\_\_\_\_

\$ 320 H-1B Application Fee

\$ 500 Fraud Prevention and Detection Fee

\$1000 Premium Processing, **optional**, to be paid to USCIS if expedited service is desired. This service allows receipt of the approval in about 3 weeks from mailing. Current processing times can be 2 to 4 months.

- The H-1B visa allows a stay of up to 3 years initially, with extensions allowed for a total of 6 years.

\_\_\_\_\_

- A description of the position's duties will be submitted to the Department of Employment Services in Frankfort, KY, which will determine the prevailing wage for the position in this region. **The salary offered to the**

**candidate must at least meet this wage.**

---

- **H-1B beneficiaries may not begin working until the petition has been approved**, unless they already have H-1B status and are changing employers. In the latter case, they may begin employment after the official USCIS receipt for the H-1B application has been received. This receipt is used for I-9 purposes.
- 

- During the employee's H-1B status, **the department should notify our office if there is a substantive change in the job duties or the terms and conditions of employment**, so an amended petition can be submitted (for example, Research Associate to Assistant Professor). Minor changes such as a pay increase or a change of job title with no or minimal changes in job duties do not require such notification.
- 

- If beneficiaries are **outside the U.S.**, they must wait for the approval of the petition to be sent to them so they can apply for their H-1B visa at the consulate previously named on the application (Form I-129). **They may not enter the U.S. on any other non-immigrant visa and still be eligible for employment in H-1B status at the University.**
- 

- **The law requires employers to notify both Immigration and the Department of Labor if an H-1B terminates employment prior to the ending date on the H-1B approval. If early termination occurs, please contact our office immediately so that we can comply this regulation.** An H-1B employee who voluntarily terminates his or her employment, or is terminated by the department, must depart the US on the final day of employment, unless he or she has secured the H-1B sponsorship of another employer or otherwise changed immigration status.
- 

- H1-B visa regulations state that **the employer is responsible for the cost of return transportation abroad** if the employee is dismissed before the termination of the application period. This obligation must be met for all terminations of H-1B employees, even if the cause is loss of funding or unacceptable performance by the worker.
- 

**I acknowledge that I have read and understand these regulations governing the H-1B visa holder I am about to sponsor. I understand that this is a brief overview of current visa regulations.**

---

**Signatures of Dept. Chair & Hiring Professor**  
**H-1B Candidate's Name**