

International Support Services

LOCATION:

Gateway Center
902 Prices Fork Rd
Suite 120
Blacksburg, VA 24061
MC: 0265

WALK-IN HOURS:

T/Th 10:00 am – 11:30 am
Wed 1:30 pm – 3:30 pm
and by appointment

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LISTSERV:

Join our Administrators listserv for announcements about immigration updates, changes to policies, etc.:
www.iss.vt.edu/index.php/listserv

OUR MAIN SERVICES:

- Process non-student visa requests including J-1 scholars and student interns, H-1B, TN, and E-3 employees, and employment based permanent residency (green cards) for eligible VT employees
- Advise departments and foreign nationals on appropriate immigration course of action
- Manage the Memoranda Of Understanding and Student Exchange Agreement processes
- Provide invitation letters for foreign nationals visiting VT in B visa or visa waiver status (only certain activities eligible for such visits)

H-1B GENERAL INFORMATION:

- There is a required wage associated with H-1B status. ISS can analyze the offered salary for a position to ensure it is sufficient.
- The hiring department is generally responsible for paying the required H-1B fees.
- H-1Bs can be requested for durations of 1 day up to three years and can be full- or part-time status. Total time in H-1B status is limited to 6 years.
- If the employee is dismissed for any reason before the end date requested on the H-1B, the hiring department is responsible for the employee's return transportation. The hiring department may not ask the employee to resign to avoid this. ISS must timely notify USCIS of all early terminations.

TIPS FOR H-1B PROCESSING:

- The salary data we use for the majority of our H-1B wage determinations changes every July 1 (and generally increases). Submit H-1B requests to ISS by June 1 to give ISS enough time to "lock-in" the prevailing wage for the H-1B before the wage goes up.
- The controller's office cut-off for processing checks (used to pay USCIS filing fees) for each fiscal year is in mid-June. HokieMart orders placed for checks after mid-June will not be processed until the next fiscal year (first week of July). Cases with July start dates need to submit H-1B cases to ISS far enough in advance (by June 1) to accommodate this 2 week break in processing checks.
- In general, salary adjustments should be deferred to the annual salary adjustment and merit process (FACSAL). Salary adjustments due to H-1B required wages are an exception to this rule but departments should still try to start H-1B processes well in advance of the employee's current work authorization end date in order to avoid as much disruption to the FACSAL process as possible.

PERMANENT RESIDENCY (GREEN CARD) GENERAL INFORMATION:

- ISS processes employment-based permanent residency (PR) cases only. ISS does not assist with family-based or self-sponsor petitions.
- Employees/departments may not hire private immigration attorneys to prepare/file employment-based PR cases VT's behalf. Only ISS (and a few other practices approved by VA's Attorney General) can prepare/ file a VT employee's employment-based PR case.
- To qualify for VT PR sponsorship, the employee must have a job offer or occupy a position that is full-time, salaried, and permanent in nature.
- A "permanent position" has guaranteed long term funding and is not presently intended by the employer to have a specific end date in the future. The employer & employee must have the expectation that the employee will continue in the employment for an indefinite/unlimited duration.
- For grant funded positions, the sponsoring department must establish that funding for the position is available for at least 3 years and demonstrate their intent to continue to seek funding for the position as well as a reasonable expectation of continued funding.
- Postdocs are temporary positions by nature (limited to 4 years per VT policy) and therefore ineligible green card sponsorship.
- The employment-based PR process is a two or three step process depending on whether a labor certification application is required.
- The employment-based PR process is often lengthy and complex. Processing times range from around one year to more than five years, depending on the process chosen, and in some cases, the employee's country of birth. Sometimes it is possible to extend one's H status beyond the 6 year limit of H eligibility if a person's PR case was timely filed and the case is still pending after the person's 6th year in H-1B status.

I-9 VERIFICATION:

It is the hiring department's responsibility to timely provide appropriate work authorization documents to HR Payroll for Form I-9, Employment Eligibility Verification.

Visa Overview for Foreign National Employment at VT

Status	Description	Processing Time	Cost
H-1B	Dual intent (nonimmigrant or immigrant) status for individuals in specialty occupations (generally teaching, research, and A/P positions qualify); carries a salary requirement which ISS can assess in advance. H-1B may be requested for up to 3 years at a time and total time is 6 years.	With USCIS Regular Processing: ISS: 4-6 weeks USCIS: 7-10 days for receipt notice; 5-6 months to be approved	Employee's First VT H-1B: ISS fee: \$700 USCIS basic filing fee: \$460 USCIS anti-fraud fee: \$500
		With USCIS Premium Processing (additional \$1225): ISS: 4-6 weeks USCIS: 7-10 days for receipt notice; 15 days to be approved	Employee's Subsequent VT H-1Bs: ISS fee: \$700 USCIS basic filing fee: \$460
	<p>USCIS Premium Processing: Sometimes premium processing is necessary to obtain an approval notice by the requested start date and/or avoid an interruption to work authorization in a change of status situation (e.g. moving from F-1 OPT to H-1B). The Premium Processing fee is \$1225.</p> <p>Portability and Required Status Documents: For non-portable cases (change of status and consular processing) an approval notice is required to give the employee work authorization. For portable cases, (extensions, amendments, and change of employer cases) only a receipt notice is needed to extend an employee's work authorization. Portability allows the employee to continue working based on the receipt notice for up to 240 days until case is approved.</p> <p>Return Transportation: If hiring department dismisses employee for any reason prior to end date requested on the H-1B, the hiring department is responsible for paying the employee's return transportation back to his/her home country.</p>		
TN	A nonimmigrant status for Canadians and Mexicans in certain positions requiring at least a bachelor's degree and must be on NAFTA list of professions. Can be processed within US or employee can apply at US border. TN status may be requested for up to 3 years at a time with no formal limit to total time.	Cases processed within US through USCIS: ISS: 2-3 weeks USCIS Petitions: 4-5 months (extensions are eligible for portability) Cases processed at US Border by Customs and Border Protection: ISS: 2-3 weeks CBP: Processed on the spot at port of entry or pre-flight inspection	Cases processed within US through USCIS: ISS fee: \$0 USCIS fee: \$460 Cases processed at US Border by CBP ISS fee: \$0 CBP fee: \$50 paid by employee
E-3	A nonimmigrant status for citizens of Australia in specialty occupations; carries salary requirement which ISS can assess for the hiring department in advance. E-3 status may be requested in 2 year increments with no formal limit to total time.	For ISS: 3-6 weeks USCIS: 2-4 months (extensions are eligible for portability) If coming from abroad, USCIS processing is not necessary after ISS prepares case; only need to allow time to obtain visa at consulate.	ISS fee: \$0 USCIS fee: \$460 *If coming from abroad, employee must pay visa application fee (DS-160) of \$160.
J-1 Scholar and Student Intern	A nonimmigrant status for non-tenure track teaching/research positions; J-1 scholars may have their own funding (self, home gov't or institution, etc.) J-1 status is up to 5 years depending on J category.	Initial: 1-2 weeks at ISS + 2-3 months for J-1 to obtain visa abroad Extensions: 1-2 weeks at ISS Transfers: 1-2 weeks at ISS Change of Status (e.g. F to J): 1-2 wks at ISS + 3-4 months USCIS	ISS fee: \$100 (new, extension, & transfer) SEVIS fee: \$180 (paid once by J-1 scholar) Visa app fee: \$160 (paid by J-1 scholar to apply for visa) Change of Status: \$370 USCIS fee
F-1 OPT* (optional practical training)	A nonimmigrant status (F-1) accompanied by a period of work authorization (OPT) for which the student applies. Initially 12 months; STEM students may get additional 17 months.	USCIS Processing: 75-90 days. Students apply on their own to USCIS after getting their I-20 Form endorsed by the international student services office at the school from which they graduated.	No cost to hiring department; Student pays the \$410 USCIS application fee.
J-1 AT* (academic training)	A nonimmigrant status (J-1 student) accompanied by a period of work authorization (academic training) for which the student applies upon graduation. Up to 36 months if PhD degree.	Processed by the students International Student Advisor at the institution from which s/he graduated.	No cost to hiring department; student works with his/her international services office at institution from which s/he graduated.

* F-1 OPT and J-1 Academic Training are not processed by ISS but are included in this chart because they are the most common work-authorized statuses for recently graduated international students.