

Visa Options for LSUHSC International Employees¥

Visa Type	F-1 OPT	J-1 Exchange Visitor	H1B Specialty Worker
Eligibility Criteria	F-1 Students at U.S. Universities at completion of course of study (degree). Bachelor's or higher.	EV must have a Bachelor's degree <u>or</u> appropriate experience in area of exchange and sufficient English language skills.	<u>Position</u> must require at least a bachelor's degree or equivalent.
Maximum Period of Employment	12 months at LSUSHC. STEM extensions are not permitted.	Minimum of 3 weeks for all EV categories; Maximum of 6 months for Short Term Scholar; Maximum of 5 years for Research Scholars	Initial 3 year period, and 3 year extension, total of 6 years , unless LPR Application timely filed.
Benefits	May work at any ER, as long as employment is related to course of study. May change ER without changing visa status. ER has no early termination penalties.	May transfer to another Program Sponsor's J-1 program easily to change ER, no need to exit & re-enter. No transfer/termination penalties.	H1B EE transfers to new ER (portability) and extensions with current H1B ER only require filing of H1B petition, no requirement to wait for approval of the H1B petition.
Drawbacks	Recommendation, application and processing are fully dependent on University where F-1 student, LSUHSC has no control over the application or approval. Only available to a student already in F-1 status who is completing their degree. Time spent in CPT (during course of study) is subtracted from 12 month maximum period.	212(e) Home Residency Requirement -depending on funding source and skills list of home country* <u>may</u> require EV and any dependents to return to home country for 2 years following J program. 12 month bar to repeat J-1 participation if previous J program was more than 6 months. Research Scholars and Professor EV's and dependents subject to 24 month bar to repeat J-1 participation.	If ER terminates EE before end of visa period requested, ER must pay for EE's transportation to country of last residence. If EE is terminated, considered out of status immediately- unofficial 10 day grace period to leave U.S. generally allowed. Must pay prevailing wage , as determined by DOL or actual wage, whatever is higher .
Dependents	F-2 dependents may not work, but may take classes if not working toward a degree.	J-2 dependents may work with specific authorization from USCIS. Must apply for work authorization and receive approval. (Form I-765)	H4 dependents may not work. Exchange visitor completes I-539 and pays application fee (\$290) for dependents.
Intent	Intent to return home . Allows for conversion to J-1 or H1B visa at end of OPT period.	Intent is to return home at end of program. 212(e) waiver needed to convert directly to H1B if EV subject. May not apply for Permanent Residency.	Dual intent allows H1B to apply for Permanent Residency.
Supporting Documents	Documents provided by school. *EE must have a valid, original EAD (employment) card from USCIS on their first day of work to complete required forms.	DS-2019 issued by LSUHSC, offer letter, and valid passport for CP. May change status while in U.S with form I-539, passport, I-94, DS-2019 and waiver.	Degree/Equivalency Evaluation if foreign degree. Offer/Support letter stating job duties and requirements and H1B's qualifications, valid passport.
Processing Time	Generally, 90 days from when USCIS receives the application. No PP is available .	CP from abroad: between 3 days and 8 weeks for issuance of entry visa, depending on consulate. (After receipt of Ds-2019) COS within the U.S.: about 5 months from when USCIS receives application. No PP .	COS within U.S., about 5 months from when USCIS receives application. CP from abroad: depends on consulate, usually between 3 days and 8 weeks <i>after</i> approval by USCIS. PP option provides <u>response</u> in 15 days (not necessarily an approval).
Required Fees	None . Student pays application fee (\$380) for form I-765.	None . Exchange visitor pays SEVIS fee (\$180) and visa fee (\$140) at consulate if abroad. Exchange visitor completes I-539 and pays application fee (\$290) if changing status in U.S.	\$500 Fraud Fee must be paid by department and \$325 application fee paid by department. \$1,225 PP (optional) usually paid by Dept, unless EE payment approved by ISO.

COS=Change of Status; CP=Consular Processing; DOL=Department of Labor; EAD=Employment Authorization Document; EE=Employee; ER=Employer; EV=Exchange visitor; LPR=Legal Permanent Residency; PP=Premium Processing; SEVIS=Student and Exchange Visitor Information System; USCIS=US Citizenship and Immigration Services

¥Other visas may be available, these are only the most common types used by LSUSHC employees for work authorization.