

H-1B PROCEDURES FLOW CHART

STEP 1

Hiring department contacts Human Resources when foreign national identified for hire, stating need for a visa. The Department consults with HR regarding appropriate immigration classification for the individual/position and timing of process

STEP 2

If appropriate, HR provides employing department with H-1B Preliminary Packet and checklist and explanations of procedures

STEP 3

Applicant and Hiring Department assemble and submit Checklist, H-1B fees, and checks AND ALL REQUIRED forms and documents to HR for review and processing
Receipt confirmation is sent to Hiring Department

Step 4

For non-faculty positions, HR performs salary compensation survey comparison
HR requests prevailing wage determination from ODJFS (for faculty/union positions, collective bargaining agreement supersedes prevailing wage determination)
HR notifies department regarding wage determination

STEP 5

HR Informs employing department that wage is sufficient
Proceed to Step 6

HR informs hiring department wage too low
1. Department raises wages OR
2. Files an appeal, if possible OR
3. Employee changes to J-1, if possible

OR University does not hire employee
— STOP!

STEP 6

HR submits Labor Condition Application (LCA) to the U.S. Department of Labor for approval.
Approval is usually immediate.

STEP 7

Upon receipt of LCA approval, HR prepares and submits H-1B petition to International Institute of Toledo (II) for filing with *United States Citizenship and Immigration Services (USCIS)*

STEP 8

USCIS action/approval takes 1-3 months. Check with II for current processing times.
USCIS approves H-1B; HR receives H-1B Notice of Approval from USCIS; HR notifies employing department.

STEP 9

If employee is not in US, Department sends approval notice to employee abroad to obtain H-1B visa stamp and enter the U.S.

H-1B employees extending UT employment may remain on payroll while waiting for approval if request was submitted to USCIS before the current H 1B expires.

Current H-1B status holders changing employers to UT MAY be eligible to be paid when HR receives the USCIS H-1B petition receipt notice.

Employees changing to H-1B status may begin working for UT when the H-1B Notice of Approval has been received from USCIS.