



September 7, 2021

Good afternoon,

We would like to take this opportunity to provide you with the attached memo, "Maintaining H-1B status." H-1B employees are responsible for understanding and complying with the U.S. Federal Laws and Regulations that govern H-1B status.

Please note, H-1B status is employer specific and specific to the terms and conditions of employment that USCIS approved in the original H-1B petition. Please consult OISSS before ANY changes occur. An amended H-1B petition may need to be filed to notify USCIS of the changes.

As highlighted in the memo, you may only work for the employer that filed your H-1B petition (i.e., UT). This means that you may NOT work for any other employer unless that employer has filed a concurrent H-1B on your behalf. While you are permitted to participate in outside lectures, you may NOT accept any compensation or honorarium for such activities. You may, however, be reimbursed for actual travel expenses; always consult OISSS before accepting reimbursements.

As you are aware, Form I-94 is the controlling document regarding your lawful status in the U.S. and determines the duration for which you are permitted to remain in the U.S. Once the I-94 expiration date is reached, your status will end, even if other documents are valid. You will need Form I-94 to apply for benefits in the U.S., such as a driver's license or SSN.

Please make sure to keep your passport (and your dependents' passports) valid at all times. If your passport expires prior to the I-797 expiration date, upon travel/entry to the U.S., a CBP officer may shorten your I-94 expiration date to match the date your passport expires. If this occurs, your "status" in the U.S. will expire despite having an approved H-1B petition, unless certain actions are taken to extend the status. In this scenario, employees may "correct" their I-94 by travelling abroad and re-entering the U.S. using their renewed passport so that a new I-94 record is created. However, if travelling is not an option, and we recommend against traveling during the Pandemic, OISSS may file an extension of stay on your behalf with USCIS to extend the I-94.

The attached memo is for informational purposes. Please let us know if you have any questions or concerns.

Sincerely,

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