



Office of Global Engagement  
*Associate Provost Office*

## H-1B Sponsorship Process at UGA

The information below pertains to the H-1B process. An H-1B is a non-immigrant visa that is designated for employees coming temporarily to UGA to perform services in a specialty occupation (See Specialty occupation definition below).

### **SPECIALTY OCCUPATION:**

A specialty occupation is described as a position that requires application of a highly specialized body of knowledge in a field that normally requires a bachelor's degree (or the equivalent) or higher in the specialty as a minimum requirement for entry into the occupation in the United States. To qualify for the H-1B visa classification, the employee must possess at least a bachelor's degree, or the equivalent, in the specialty field.

### **PROCESS:**

UGA hiring departments will initiate visa sponsorship through Compass. Compass is the University of Georgia's portal for benefit applications relating to international students, scholars, faculty, and staff at the University of Georgia. Compass portal can be found here <https://compass.uga.edu> The department representative initiating the process must be approved for access in Compass. The department representative must log in to Compass using her/his Myid and password. H-1B sponsorship forms can be found under Departmental Services > Tasks, and then click on "H-1B Sponsorship request form for a New Employee." Department will need to know the employee's UGA ID number and DOB. If not, the department representative will be required to add the person into the system. There are instructions in the User guide below.

### **COMPASS DEPARTMENTAL USER GUIDE:**

[https://globalengagement.uga.edu/images/documents/immigration/portal/compass\\_departmental\\_user\\_guide.pdf](https://globalengagement.uga.edu/images/documents/immigration/portal/compass_departmental_user_guide.pdf) The User Guide will show you how to request access as well as how to complete requests for H-1B sponsorship in Compass.

### **ELIGIBILITY:**

To qualify for H-1B sponsorship, a position must require someone with special qualifications and the applicant must meet minimum requirements. For more information about eligibility requirements for H-1B visa, go here [H-1B \(uga.edu\)](https://globalengagement.uga.edu/immigration/h1b)

### **INTAKE FORMS:**

There are several online intake forms that must be completed and submitted by both department and the employee. To complete and submit the online forms, reference our Compass portal at <https://compass.uga.edu>. Once the "Applicant Access" form has been submitted, the employee will receive an email with a link to the forms that he/she must complete.

### **DEPARTMENTAL FORMS:**

1. Applicant Access
2. Position Information
3. Deemed Export Attestation
4. Departmental Fees & Billing
5. Departmental Export Control Officer Notification
6. Departmental Information
7. Actual Wage & Employment Certification
8. Departmental Compliance Certification

### **EMPLOYEE FORMS:**

1. Employee Biographical Information
2. Employee Credentials & Work History
3. Employee Current Immigration Information
4. Employee Immigration History (H, J, & L visa status)
5. Employee Dependent Spouse & Children (optional)
6. Employee Notify Department of Form Completion

Department and employee must complete and submit all forms before advisor can begin the H-1B process.

### **TIME LIMITS:**

The recommendation is to begin the H-1B request at least 6 to 7 months before the employee's anticipated start date. If the employee is already employed inside the U.S. with another employer, the H-1B sponsorship may be quicker, but please consult with your department's immigration advisor for more details. The caseload division for each advisor is found here:

[https://globalengagement.uga.edu/images/documents/immigration/portal/Scholar\\_caseload\\_division.pdf](https://globalengagement.uga.edu/images/documents/immigration/portal/Scholar_caseload_division.pdf)

An H-1B visa holder is permitted to be in the U.S. in H status for a total of six years. A department can apply for H status on behalf of an employee between 1 and 3 years at a time. This time limitation includes any time an employee spends in previous H-1B status. At the end of six years, an employee must either change to another immigration status or depart the U.S. Once an employee has remained outside the U.S. for at least one year, the department can request a new H-1B approval for the employee and the employee may once again enter the U.S. to begin another six years. An employee who is outside of the US may enter the US no more than **10** days prior to the start date on the H-1B approval notice.

### **WAGE REQUIREMENTS:**

UGA departments must agree to pay H-1B employees the actual wage or prevailing wage, as approved by the Department of Labor (DoL), whichever is higher. Our office will process the prevailing wage application with DoL, and let you know the required wage.

### **LABOR CONDITION APPLICATION ("LCA") ATTESTATIONS:**

UGA departments must agree to abide by certain conditions of the employee's employment according to rules of the U.S. Department of Labor by certifying a Labor Condition Application. Among other items, UGA must certify that it will pay the employee the required wage rate; that it will offer an employee the same working conditions as all other similarly employed workers; and that employee will receive the same benefits offered to all employees.

### **H-1B STATUS IS EMPLOYER AND JOB SPECIFIC:**

An employee's H petition is specific to the department, position title, duties, salary and location work to be performed. If any aspect of an employee's job changes, Immigration Services must be notified **before** those changes go into effect. It may

be necessary for IS to submit an amended H-1B petition to USCIS. If so, the changes cannot take place until the amended petition is submitted and H -1B receipt notice has been received.

#### **FORM I-9: EMPLOYMENT ELIGIBILITY VERIFICATION:**

An employee is required to complete a Form I-9 in his/her department within three days of beginning work at UGA.

#### **CREDENTIAL EVALUATION:**

H-1B employees who received their degrees outside the US need a credential evaluation to show its US equivalents. There are many credential evaluation companies you can find – but here are two popular ones:

<http://www.fceatlanta.net/> or <https://www.wes.org/>

#### **INTERNAL Immigration Services COST:**

Immigration Services internal cost for H-1B visa sponsorship is \$948.00. (Increases 2% each year). The fee will be effective July 1, 2021 until June 30, 2022 fiscal year. Immigration Services within the Office of Global Engagement is a Cost Recovery Program, and is required to assess certain fees.

#### **USCIS GOVERNMENT FILING FEES:**

Immigration Services requests checks for filing fees through Accounts Payable

I-129 filing fee: \$460.00

Anti-fraud fee: \$500.00 for all **initial** H-1B cases (not required for extensions)

H-1B extension fee: \$460.00 filing fee for Form I-129

Premium processing fee: \$2,500.00

Premium processing is optional and can be paid by either the hiring department or by the employee. With premium processing filing, USCIS guarantees processing within **15** calendar days of the receipt of Form I-907, Request for Premium Processing Service.

#### **RETURN TRANSPORTATION COSTS:**

According to U.S. federal regulations, if an employer terminates the employment of an H-1B employee before the end of the employee's authorized stay (the end date on the H-1B Approval Notice), the employer must offer to provide reasonable costs of return transportation to the employee's last country of residence.

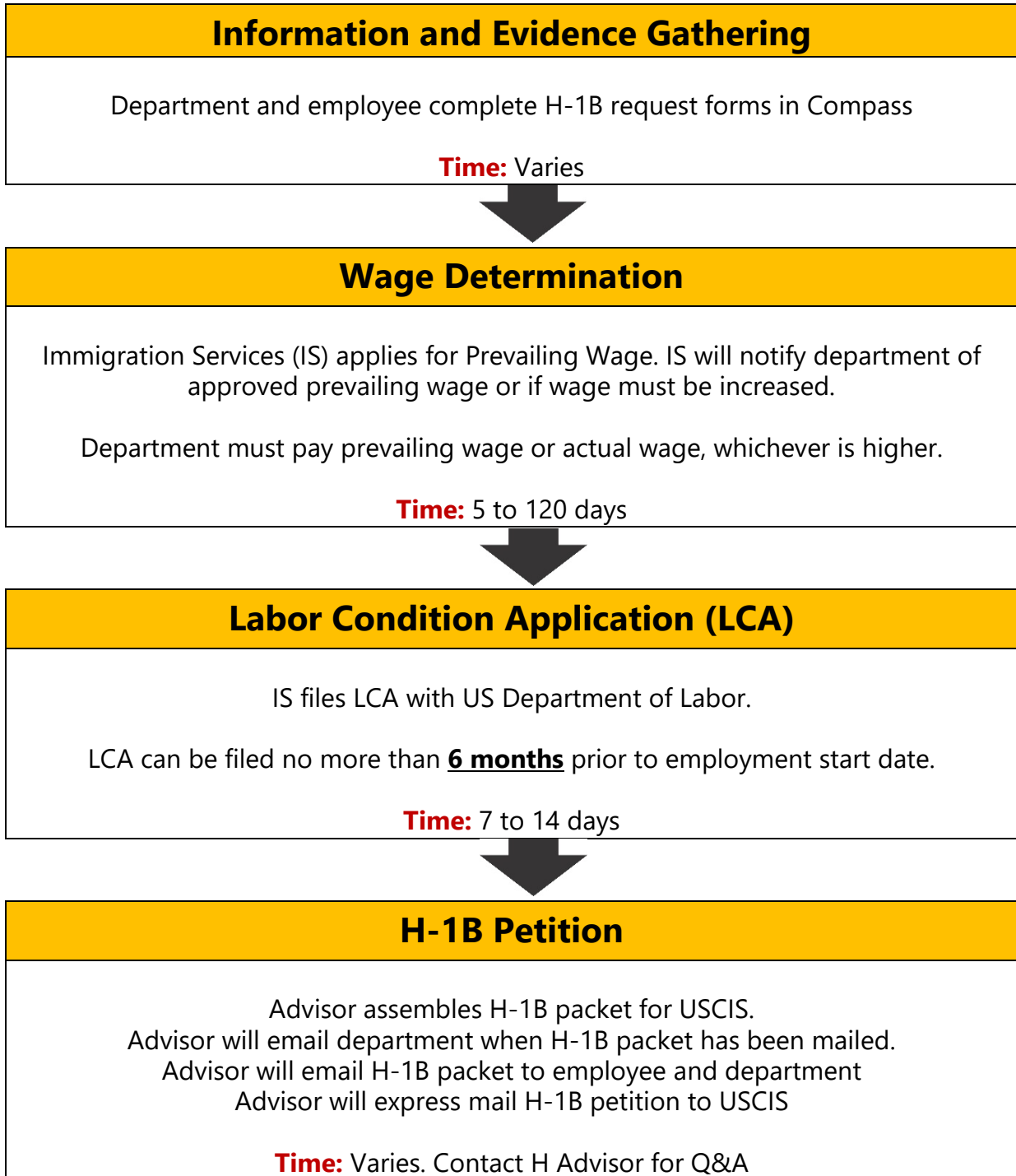
**EMPLOYEE TERMINATION AND RESIGNATION:**

Notify Immigration Services **right away** if an H-1B employee from your department resigns or is terminated. Report any changes in the employee's employment, including salary, full-time vs. part-time, duties and work location.

**GRACE PERIOD:**

An H-1B employee may be entitled to a grace period of 60 days to find another job or change visa status, if their employment on H-1B visa is terminated due to a layoff or other unforeseen reasons, before the end of their H-1B petition validity.

# H-1B Temporary Worker Flow Chart



**NOTE:** Premium processing is an option with USCIS. It guarantees processing within **15** calendar days. The fee is \$2,500.00. Fee can be paid by either the department or employee.