



H-1B Petition – Step-by-Step Process

The steps below describe the H-1B petition process:

Step 1: Initial Contact - Using the *Notification of Intent to Sponsor an Employee for Employment-Based Visa form*, the hiring department must receive approval from the Provost or the President’s Office to begin the process of H-1B sponsorship on the prospective employee’s behalf. If approved, the *Notification of Intent to Sponsor an Employee for Employment-Based Visa form* is sent to HR and the IC for notification of intent to sponsor the prospective employee.

Step 2: Analysis of Petition Materials - The hiring department and the prospective employee must submit the required petition materials to the IC. These items are analyzed to ensure compliance with all federal regulations.

Step 3: Prevailing Wage Determination - HR submits the required documentation to the IC establishing the prevailing wage for the prospective employee.

Step 4: Labor Condition Application (LCA) - The IC prepares the LCA if the offered salary meets, or is greater than, the prevailing wage determination.

Step 5: U.S. Department of Labor (DOL) Certification of LCA - The IC submits the LCA to DOL to get their official certification of approval.

Step 6: Hiring Department and HR Post LCA - The IC will prepare and submit the LCA posting to the hiring department and HR. Both are required by the DOL to post the LCA in two conspicuous locations within their departments for **ten** working days.

Step 7: Completion of Form I-129 - The IC completes the required I-129 form and compiles the certified LCA and related supporting documentation for submission to the United States Citizenship and Immigration Services (USCIS).

Step 8: Submission of Petition to USCIS - The IC mails the completed H-1B petition to USCIS.

Step 9: USCIS Processes the H-1B Petition - USCIS estimates the processing time of H-1B petition to be 3-4 months when paying the standard processing fee and initial Fraud Prevention and Detection Fee. (*See Schedule of Fees for amount.*)

For quicker processing, the hiring department **or** prospective employee can pay a “Premium Processing Fee” to request USCIS make a decision on the H-1B petition in 15 calendar days instead of the estimated 3-4 months. (*See Schedule of Fees for amount.*)

Step 10: USCIS Decides on H-1B Petition - Once a decision is made on the H-1B petition, USCIS will email their decision to the IC. USCIS will also mail a copy of the Approval/Rejection Notice to the IC. The IC will then forward a copy of this notification and other related materials to HR, the hiring department, and the prospective employee.

**The entire H-1B petition process may take an estimated 4-6 months. The International Center works as expeditiously as possible, however, the timetable for processing an H-1B petition can vary when dealing with the USDOL and USCIS. To avoid delays, please request H-1B sponsorship in a timely manner.