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FeedMy CompanyPollsChannelsFeatured ContentTrending Home » US Immigration - Visas » H1B Visa » H1B Transfer Process - Requirements, Documents, Timelines, Cost, FAQs Getting an H1B Visa to work in the US is subject to a lot of luck as the demand is extremely high. To give you a perspective, we had H1B Visa Lottery every year since 2013 for the last 10 years. No one wants to go through the process again. The reality after getting an H1B visa and working for a company for some time can be different. You may want to change companies as you do not like them or the culture. This is where the concept of H1B Transfer comes in. Depending on your situation, you may want to transfer H1B when you are in the US or even before you enter the US. There are multiple scenarios. As part of this article, we will look at the overall process, and the documents required, and understand the cost, timelines, and common FAQs. First of all, there is no official term that is called "H1B transfer". It is a term coined by our convenience and that's what everyone calls it. The official option that corresponds to the H1B transfer is called "Change of Employer". When you fill I-129 Form, which is filed with USCIS when you file an H1B transfer petition, you would choose that option in Part 2. Below is the screenshot of the I-129 form, where you see the option "Change of Employer" in Part 2, which is on Page 2 of the form. Change of Employer option on I-129 form for H1B Transfer. Technically, the H1B transfer process is not really transferring from your old employer to your new employer or even your visa-related stuff. All they are using is your previous employer's approval notice to ensure that you are cap-exempt and do not have to go through the H1B Visa lottery again because the applicant has already been counted in the H1B visa quota cap. Also, there is nothing really transferred from your old employer to your new employer or even your visa-related stuff. All they are using is your previous employer's approval notice to ensure that you are cap-exempt and do not have to go through the H1B Visa lottery again. Depending on where the H1B visa applicant is during the time of the H1B transfer process, USCIS would look at various requirements related to the applicant, including the visa status of the individual. Below are the various common scenarios: H1B Transfer Applicant outside of the US and never visited America. H1B Transfer after entering the US, but in a short time. H1B Transfer after working in the US and the applicant is in the US. H1B Transfer after working in the US, and the applicant outside of the US. H1B Transfer with I-140 Approved. USCIS looks at the H1B transfer applicant's status in the US and verifies if the applicant has maintained proper status in the US, in order to approve the petition. It is important to understand this because, applicants have to provide relevant documents like Pay Stubs, Tax Documents, etc for H1B transfer to prove that they were in status at the time of filing. You may read the article US Visa vs Status to understand the difference. Now, let us look at the above-listed four scenarios in the context of the applicant's status in the US. Usually, this situation arises, when you, as an applicant, are living outside of the US and a Company in the US applies for your H1B Petition. Imagine, you got an H1B petition approved by a company, and also got your H1B Visa stamping done in your passport based on that company's job details. Now for some reason, your old employer is not able to get you to the US, and you want to transfer to another company. In the above scenario, USCIS usually looks at two aspects, one is the applicant's current status and the second is cap exempt situation. Applicant Status: The concept of status in the US is not relevant as the applicant is outside of the US and will not have any US visa status. So, you as an applicant do not have to prove your visa status. So, there is no need to submit I-94 Arrival Departure Card or any relevant documentation to say that you are in any legal US Visa status. Cap Exempt Qualification: The second part is the cap-exempt situation. This is the tricky part and a slightly grey area. In the past, USCIS used to consider a petition as cap exempt, if you had an H1B petition approved from the employer. But, in recent years, USCIS guidance says that you must have got H1B Visa Stamping done as well, to be counted towards the cap for an H1B transfer. What they are saying is, when you go for stamping, you get H1B status on paper and that's when your H1B cap slots is technically counted. If you do not get stamping, they say that you never had H1B status, so cannot use your just petition approval for transfer to another employer. So, for you to be cap-exempt for transfer, you must have had H1B Visa stamping done as well after your H1B petition approval. Usually, this situation arises when the H1B holder after arriving in the US, realizes that the employer is not the right fit or they have a better offer from another employer and they want to transfer immediately. When we say a short time, it means less than two weeks or 15 days. If someone wants to transfer within 15 days or less after they enter the US, similar to above, USCIS would look at the applicant's current status in the US and the cap-exempt situation. Applicant Status: The applicant has to prove status, but there is no additional information, except the I-94 copy and the copy of the CBP Stamp on the passport that they need to submit to prove status. They do not have to submit any pay stubs or other tax documents to prove that they have maintained their status. This is because the duration is less than 15 days and most employers do not run payroll before 15 days. Cap Exempt Qualification: The applicant is cap exempt as they have both H1B stamping and entered inside the US on H1B visa status. If the applicant had H1B status at least once, they are counted towards the cap and are considered cap-exempt. In the above situation, as the applicant meets both of these, they can do an H1B transfer to a new employer, if someone is willing to file a new H1B petition on their behalf. They do not have to exit the country, they can do an H1B transfer within the US. This is the most common scenario of the three as many are in the US on H1B Visa working for a company and they get a better offer outside and they plan to move. Typically, this could be anytime after 15 days or a few months. Similar to the above situation, USCIS looks at the status and cap-exempt situations for transfer. Applicant Status: As the H1B transfer applicant is working in the US for some time, they need to submit additional documents like pay stubs, Tax returns from previous employers, including approval notice to prove that they maintained proper status all along. If an applicant does not submit the most recent pay stubs or tax documents, (if over a year), USCIS may question the transfer and they may not approve the H1B Transfer with I-94. In such cases, the employee has to leave the US and get the stamping done at a US consulate and re-enter the US to work for the new employer. Cap Exempt Qualification: The applicant is considered cap-exempt as they worked on H1B before. So, this is implicit and the applicant needs to share the approval notice from the previous employer. This situation arises, when someone left the US after a few years of working on H1B, for whatever reason, and plans to come back to the US as they have not used all 6 years available for H1B. In general, you can recapture unused H1B Time, if you have not used up all the 6 years duration. Now, even in this situation, USCIS typically looks at the status and cap-exempt situations for transfer. Applicant Status: As the H1B transfer applicant is not in the US, the concept of status is not relevant, so the applicant does not have to prove his visa status. Cap Exempt Qualification: The applicant is considered cap-exempt as they worked in the US on H1B before and had H1B status at least once. Usually, applicants need to submit a copy of the approval notice of their previous employer. Optionally, the applicant may even submit paystubs from his previous H1B employer, Bank statements, and W2 tax forms, in order to prove that legal status was maintained while the applicant was in the US. No proof is required for the period of time spent outside of the US. You can even submit your I-94 Travel History. So, applicants in the above scenario can transfer as long as they worked in the past and have not used up all 6 years. One more common situation is when someone has Form I-140 Approved. Usually, I-140 is applied as part of the Green Card process steps, with USCIS, where you wait for the priority date to become current. In the context of H1B Transfers, you can continue to work in the US even after 6 years on H1B, if you have I-140 approved. It also applies to H1B Transfers too. If you have an I-140 approved for over 180 days and is not withdrawn during that 180 days, you can use it to apply for an H1B transfer as long as you want without any time limit of 6 years. You can do these transfers until the priority date becomes current. To avail of this option, USCIS looks at the below Applicant Status: If the applicant is in the US, they need to submit status-related documents like I-94, Current Pay stubs, tax documents, etc.. If the applicant is not in the US, then it is not relevant. Cap Exempt Qualification: As the applicant of H1B transfer has used all 6 years, they need to prove that they have an employment-based green card process going on and I-140 is approved. So, you need to submit a copy of the I-140 along with the H1B transfer. If your employer has not shared it, you can get it using an FOIA request with USCIS. Now that we know the eligibility for an H1B transfer, let's look at the process involved. The H1B Visa Transfer process is exactly the same as filing a fresh H1B petition with a new employer. The fundamental difference is that with an H1B transfer, the applicant does not have to go through H1B Registration Lottery again as they are technically counted towards the cap. Depending on your situation, you would fall into one of the above-discussed scenarios, you would need to meet those requirements to prove status and cap-exempt situation. Below are the steps involved for an H1B Visa transfer: Step 1 - Find a Job at H1B Sponsoring Employer: You need to get a job at an H1B sponsoring employer. Once you have the job offer, you need to work with their attorney and indicate that you already went through the H1B cap process and are eligible for cap-exempt petition filing as an H1B transfer. Step 2 - Submit all H1B transfer Documents: You need to provide all the required H1B transfer documents to your new employer to start the H1B transfer process. The complete list of documents is listed below in a separate section. Step 3 - H1B Sponsoring Employer / Attorney Files LCA with DOL: Once you send all documents, your new employer or their designated attorney will file Labor Condition Application (LCA) with the US Department of Labor (DOL). LCA has the job offered, salary offered, prevailing wage, and other info. For more info, read What is H1B LCA, why file it, and info in it. Step 4 - File H1B Transfer Petition with USCIS: After the LCA is approved by US DOL, your new employer will file an H1B transfer petition with USCIS. Basically, they will file form I-129 with USCIS with all the relevant fees, supporting documents regarding the offered job, etc. Step 5 - USCIS gives Receipt Notice and Adjudicates: Once the H1B transfer Petition is received by USCIS, they will issue a receipt notice to the employer/ attorney indicating that they have received the H1B petition and for tracking purposes. Depending on the load of the Service Center and filing type either regular or premium processing, the H1B transfer petition is adjudicated by USCIS in a few days to a few months. Step 6 - USCIS Approval, RFE: USCIS either gives approval decision or requests for additional information as RFE, depending on the case, and makes a decision of either approval or denial based on the overall petition. Step 7 - Employer or Applicant Decision: Once the H1B transfer approval is through, now it is up to the employee or applicant to make the decision to join the company. Unless it is a Change of Status petition, the applicant has a choice to either join or continue with the previous employer. Let's look at the documents checklist for the H1B transfer. The H1B transfer documents are pretty much the same as the regular H1B petition, but additional details like current status in the US and previous H1B details have to be submitted. Some of the below documents are optional or may not be relevant for the applicant if they are in their home country and have never traveled to the US. Checklist of H1B Transfer Documents: Copy of Job offer letter from New employer, with details of the job title, Salary offered and signed by both applicant and employer. Resume of the applicant. Copy of Passport. Copy of I-94 (if already in the US) / Copy of H1B Stamp on passport (if already in the US or have done stamping) / Copy of Previous approved H1B petition (I-797 approval notice) / Copy of SSN (if already in the US and worked before) / Copy of 3 or more most recent Pay stubs / pay slips (if already in the US) / Copy of W2 Tax forms from employer (if already in the US and filed taxes) / Copy of Bachelor/ Masters Degrees or any higher education. Education-related University Transcripts in a sealed cover. I-140 Approval copy (if applicable) / Academic Evaluation (depending on the country, degree and university awarded it, there may be need for education evaluation and submit that as well, check with your attorney) / Copies of experience letters, if any from your previous employers / Any other letters of recommendation (if any - optional) / The H1B transfer cost for employers includes application fees that are paid to USCIS and other fees such as attorney fees. Depending on the size of the company, the H1B filing fee can vary anywhere from \$1,700 USD to \$7,900 USD + the attorney fee (if any). H1B Transfer Fee Component: Fee in USD Additional Details: Base filing fee for I-129 \$460 Standard fee for every H1B petition. ACWIA Fee (American Competitiveness and Workforce Improvement Act of 1998) \$750 or \$1,500 \$750 - for employers with 1 to 25 full-time employees \$1500 - for employers with 26 or more full-time equivalent employees) Fraud prevention & detection fee \$500 Needed as there is a change of employers. Fee-based on Public Law 114-113 \$4000 Applicable, if 50 or more employees and more than 50% of employees are on H1B or L1 Visa status, required for new H1B filing and change of employers. Read H1B fee increase \$4000 rule to check if it applies to your case. Premium processing fee (Optional) \$2,500 Applicable only if the H1B Transfer petition is filed under premium processing. Immigration Attorney Fee: Varies from \$500 to \$3000 Varies by attorney and can be anywhere from \$500 to \$3000. If the employer has in-house immigration team, this may not be an expense. H1B transfer includes many steps from filing LCA, to working with an attorney and processing by USCIS. Each of these has its own processing time, so you need to factor in time for all of these below. LCA Processing time: As part of the H1B transfer, the employer has to get a New Labor Condition Application (LCA) for the job role at the location of employment. Getting LCA with US Dept of Labor can take anywhere from a few days to 7 business days, it is online and is quite fast. Attorney or Employer Processing time to Submit Petition: Depending on the complexity of the petition, both employer and applicant require time to gather documents needed for the H1B transfer petition. It can vary from a few days to a couple of weeks or more depending on the speed to get documents like transcripts, education evaluations, etc. You need to factor in at least a couple of weeks or more for this step. USCIS Processing time for H1B petition: After the petition is ready and submitted to USCIS, the processing time with USCIS for an H1B transfer petition can range from a few weeks to a few months or sometimes many months. There is no required SLA for H1B transfer petitions filed under regular processing and USCIS can take their own time based on load. It is recommended to file it under Premium processing if you plan to work soon for new employer after the H1B transfer. If you file in premium processing, you will get a response in 15 calendar days. Check USCIS Premium Processing Overall, you can expect anywhere from a few weeks to a few months, depending on if you choose premium or regular processing. H1B Transfer FAQs When can you start working for New Employer with H1B Transfer? You can work for New H1B Employer after USCIS receives the H1B transfer petition and issues a Receipt Notice (I-797 Notice of Receipt). This working provision with USCIS receipt notice is as per AC21 regulation. Unless really needed, it is recommended that you get an H1B approval notice, before you start working to avoid any issues with the transfer. Do you need permission from your current employer for H1B Transfer? No, you do not need the permission of your current employer to file an H1B transfer by a new employer. Any H1B Sponsor can file an H1B transfer petition, which is basically a new H1B petition based on your current approval notice, on your behalf without any permission from your current employer. Do I need to inform my current employer of my H1B transfer process? No, you do not have to inform your current employer that you have applied for an H1B transfer. Having said that you are still governing by your employer contracts for the notice period and other obligations that you need to fulfill when you leave the employer. So, plan the start date at the new employer and other things factoring in these things. Can I do H1B Transfer from Cap Exempt Employer to Cap-Subject Employer? No, you cannot do an H1B transfer from Cap exempt employers like universities or non-profit research institutions to a cap-subject employer like general MNC companies. You will need to go through the standard H1B registration and lottery process if you wish to do so. Any limits on the number of H1B Transfer Petitions that can be applied? No, there are no limits. You can have multiple employers apply for an H1B transfer on your behalf of you at the same time. In general, many work full-time for one H1B employer. But, you may work for multiple employers simultaneously, if working part-time. This is called concurrent H1B and you need to apply for the same to work for more than one employer. Any limit on the number of times to apply for an H1B transfer in a Year or Month? No, there are no such limits, you can apply for an H1B transfer as many times as you want in a month or year. The H1B Visa stamp on my passport is expiring, can I do H1B Transfer? Your H1B visa stamp dates are not fully relevant for the H1B transfer. You are eligible for H1B transfer if you were counted in cap once and have not used up all 6 years of time. Also, you are eligible for transfer, if you have an approved I-140 petition. What has been your experience with H1B Transfer? Share your thoughts in the comments below. The H1B visa is a US non-immigrant visa in the work visa USA category. Within the work visa category, the H-1 visa is for people who have specialty occupations. This means that they have completed advanced education degrees or have extensive training. The most popular type of the H-1 visa is the H1B or sponsorship visa. The H1B visa allows people to work in the US temporarily, so within a specified period of time. The process of getting an H1B visa is initiated by the employer. This means that you have to find a job and the employer will agree to sponsor you for the US government. When you get to the US on an H1B visa you have already found a job, and you will work for a certain employer. However, for different reasons, people sometimes want to change their employer. This is where the H1B visa transfer process begins, which is detailed below. What is the H1B Transfer? H1B visa holders can change their employer while in the US under a process which is known as the H1B transfer. To be able to apply for an H1B transfer, they must first accept the new job offer that you still have a valid H1B visa. They can then initiate the H1B transfer status, which could take several months. H1B Transfer Process The H1B transfer process is similar to applying for the H1B visa initially. One difference between the initial H1B visa and the H1B visa transfer is the lack of a visa cap. The H1B visa has a cap of 65,000 people annually that can get this visa. But the H1B transfer has no visa cap. So if you already have an H1B visa, you do not go through the H1B lottery. This means that you do not count towards the visa cap to get the transfer. The process of applying for an H1B transfer visa is as follows: Get a new employment offer If you are currently working for an employer A, you will need a job offer from employer B in the US to initiate the H1B transfer visa process. You cannot transfer to another employer if you have not yet been offered the job. The employer needs to get a Labor Condition Application (LCA) from the Department of Labor (DOL) US employers are not allowed to hire foreign workers without an LCA certification. Employers can get this document from the US Department of Labor. Employers apply for this certification by filing Form ETA9035E. This certification guarantees foreign workers that the US employer will treat them fairly by paying a full wage. It also states that they will get a good work environment. In addition, it tells the US government that the employer hires legally admitted foreign workers. After the employer gets this certification, they can continue with the other steps. The employer has to file the I-129 form with USCIS The I-129 form of the H1B petition is used for permission to the employer to hire foreign workers. This form is handed to the United States Citizenship and Immigration Services (USCIS) for approval. Once the H1B transfer petition is approved, the employer can begin working for the new employer. The H1B transfer process typically takes anywhere from 2 to 8 weeks. However, the exact timeline can vary depending on several factors, including the amount of time it takes to legally allow to work in the US for that specific employer. In addition, the employer also has to file Form I-9 or the Employment Eligibility Verification form to USCIS. The US employer pays the relevant fees During the application procedure for the H1B transfer, the fees are similar to initially getting the H1B visa. Since the employer is hiring a new foreign worker, they will have to pay the following H1B transfer fees: I-129 form filing fee The American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) Fee - which is \$750 for employers with less than 25 full time employees in the US and \$1,500 for employers with more than 25 full time employees in the US Fraud Prevention and Detection Fee - \$500 for each foreign worker The Public Law Fee - \$4,000 if the employer has more than 50 employees, and 50% of them are on H1B or L visas. If they want Premium Processing, the extra fee is \$1,225 by filing Form I-907 with USCIS The employer or the applicant has to submit these documents to USCIS: Copy of the offer letter from employer Copy of passport Copy of current H1B visa (visa stamp) Copy of Form I-797 Copy of Form I-94 Copy of social security card Copy of qualifications (degrees and certificates) Recent pay stubs (2 or 3 previous pay stubs) Copy of tax returns (if applicable) Updated resume If you have medical professions, you will need to submit a copy of your state license Since you already have an H1B visa, you will not need to go through the entire process of applying for it again. So you will not file a DS-160 Form. You will only submit those documents to USCIS and they will process them. The only condition to apply for a transfer is that your current H1B visa is still valid. If it expires, you cannot apply for a transfer, but you will have to apply for the H1B visa again from the beginning. H1B Transfer Processing Time The processing time for the H1B transfer documents is dependent on the method of processing. The processing time of a H1B visa transfer takes 1 to 4 months to process under a regular procedure and 15 to 30 days for premium processing. The answer from USCIS might be positive or negative. However, if the applicant wants the processing to go faster, they will have to pay the H1B transfer premium processing. The fee for this service is quite high, around \$1,225. But if you choose this method of processing, it will only take 15 to 30 days to process your application. With premium processing you will find out whether you can start working at your new employer or if your petition has been denied. To get an H1B transfer visa, there are several steps to take and each one of them has an approximate timeline. The H1B transfer time is divided in these three steps: Applying for the LCA Since getting the LCA is the first necessary document to get an H1B transfer visa, nothing else can be done until this part is approved. Applying and getting the LCA takes approximately 7 business days. Gathering and submitting documents and fees to USCIS Both the employer and the employer need to gather all necessary documents, as well as pay all the applicable fees. The process of submitting the documents takes around 10 days. Why Was Your H1B Transfer Denied? There are instances where the H1B visa transfer is denied by USCIS. However, there might be a step before the denial. USCIS might send you a Request for Evidence (RFE). The RFE does not mean that your H1B transfer is denied, but it means that USCIS needs more documents to make a decision. These documents can be different depending on the case, but in general there are four types of RFEs: Educational Qualifications - which means that the employee needs to prove that they have the qualifications they claim to have. This includes additional diplomas and certificates. Determination of a specialty occupation - the employer has to prove that they fit the definition of a specialty education through advanced educational degrees or extensive training Proof of employer/employee relationship - both parties need to prove to USCIS that they have a valid working relationship and the job offer is not fake Financial documents - the employer has to prove that they can afford to hire a new employee and that they can pay them correspondingly After the RFE documents are submitted by either the employer or employee, USCIS will make a decision. But what if the transfer is denied? H1B transfers could be denied, but USCIS will provide some sort of reason as to why this happened. You can then reapply and get premium processing so that you get a response faster. But to understand USCIS H1B transfer visa denials, here are some of the most common reasons why it happens: Not paying the right fees USCIS fees change sometimes and applicants do not regularly check. If you or your employer mistakenly submit insufficient fees or you completely forget to pay one of the fees, USCIS will deny the H1B transfer Employee lacks proof of specialty occupation The H1B visa is a specialty occupation, work visa. If you apply for an H1B transfer for a job offer that you got, but cannot prove you have the qualifications for it, your transfer will be denied. This happens because you might not have an advanced degree or maybe your diploma is not the right fit for the position. Failing to prove the employer / employee relationship USCIS wants to make sure that your job offer is not fake. They want proof that there is an employment relationship. If they believe that there is not enough proof of such a relationship, they will deny the H1B transfer. To make sure this doesn't happen, submit all documents, especially the work contract. The contract should be specific enough, detailing job description and responsibilities, salary, as well as location of work. The employer is unable to pay you If your employer has not submitted enough financial documents to prove that they can afford to pay your salary, USCIS will deny the H1B transfer. To avoid this, the employer should submit all financial and tax documents that are required and make sure that there is no reason why USCIS would believe that their financial situation is insufficient to hire foreign workers. Besides these reasons, there could also be others such as: You did not deliver the documents to the right entity Your employer did not fill the documents accordingly You have committed a crime or violated immigration laws Any one of these would give USCIS reason enough to deny your H1B transfer. Therefore, make sure to collect all the right documents and fulfill all the requirements so that you can get your H1B transfer approved. Did you find this page helpful? The H1B transfer process allows individuals who currently hold an H1B visa to transfer their visa to a new employer. The process involves the new employer filing a petition for a new H1B visa with U.S. Citizenship and Immigration Services (USCIS). The new employer must prove that the employee holds the appropriate qualifications and that the position offered is a specialty occupation. Once the petition is approved, the employee can begin working for their new employer. The H1B transfer process typically takes anywhere from 2 to 8 weeks. However, the exact timeline can vary depending on several factors, including the amount of time it takes for the U.S. Citizenship and Immigration Services (USCIS) to process the forms and any requests for additional information they may have. Yes, you will need a new Labor Condition Application (LCA) for your H1B transfer. The new employer will need to file a new LCA to demonstrate that the wages the H1B visa holder will be receiving are in line with the prevailing wage for that occupation in the area of intended employment. No, approval of an H1B transfer is not automatic. The petition must go through the United States Citizenship and Immigration Services (USCIS) review process, including verification of the employer's eligibility and the employee's qualifications for the position. Yes, you must submit a new I-129 form for your H1B transfer. This form is used for all new petitions and amendments to existing petitions. No, you cannot begin working at your new job until the H1B transfer is approved and you have received your new H1B visa. Yes, an employer can withdraw an H1B transfer petition. The employer must submit a formal request to withdraw the application to the U.S. Citizenship and Immigration Services (USCIS). The USCIS will then process the request and issue a decision on the withdrawal. Yes, the filing fee associated with an H1B transfer is \$460. Other fees may be applicable depending on the situation. No, there aren't any restrictions on the type of work you can do during the H1B transfer process. You are allowed to continue working for the same employer, in the same job, and in the same location. This applies even if the H1B petition is still pending. Documents required to file for an H1B transfer include: 1. Evidence of current H1B status, such as a valid I-94, a copy of the current H1B approval notice, and a copy of the current H1B petition (Form I-129). 2. A completed and signed Form I-129, Petition for a Nonimmigrant Worker. 3. An approved Labor Condition Application (LCA). 4. A detailed job description showing the new job duties. 5. Copies of all educational and/or work experience qualifications. 6. Supporting documentation demonstrating that the job qualifies as a specialty occupation. 7. Evidence of employer's ability to pay the LCA wage rate; and 8. All other documents required to establish eligibility for an H1B transfer (for example: immigration documents, prior work history, immigration forms). There is no limit to the number of times you can transfer your H1B visa, as long as you are in valid H1B status. However, it is important to note that each transfer requires a new petition with the U.S. Citizenship and Immigration Services (USCIS). Yes, a dependent spouse and children may travel while an H1B transfer petition is pending, provided they have valid visa stamps or advance parole documents. No, the H1B transfer process does not require an interview. However, the U.S. Citizenship and Immigration Services (USCIS) may request an interview if they need more information about the applicant's background or qualifications. The maximum amount of time you can stay in the US on an approved H1B transfer petition is three years. After three years, you may be eligible for an extension. Yes, a change of status from one visa category to another generally requires your physical presence in the US to be valid. Yes, you may extend your stay in the US if your H1B transfer is approved. However, your new employer must submit a petition for an extension of stay to U.S. Citizenship and Immigration Services (USCIS) and you must remain eligible to work in the US for the duration of your stay. If your employer withdraws or revokes your H1B transfer petition, you will no longer be able to work in the US under the H1B visa. You will have to apply for a new visa status or leave the US. Yes, H1B transfer petitions are subject to certain USCIS processing delays and denials. The USCIS can delay processing for a variety of reasons, including a backlog of other applications or petitions, inadequate information provided in the petition, or even a lack of available resources to review the application. The USCIS can also deny an H1B transfer petition if the applicant does not meet all eligibility requirements or if the application is incomplete or inaccurate. Yes, there are additional restrictions and requirements for employers filing for an H1B transfer. Generally, employers must: - Submit evidence of the beneficiary's current H1B status, including copies of the H1B approval notice and visa stamp. - Provide proof of any extensions of stay or changes in employment that have been granted since the employer filed the original H1B petition. - Establish that the beneficiary has at least 6 months of remaining H1B validity. - Demonstrate that the job duties and wages offered are commensurate with those in the original H1B petition. - File a new Labor Condition Application (LCA) with the Department of Labor (DOL) and a new I-129 petition with U.S. Citizenship and Immigration Services (USCIS). - Pay all applicable filing fees. Additionally, employers must be aware that certain individuals who are subject to the annual H1B cap may not be eligible to transfer their existing H1B status to another employer until their original approval period has expired. Yes, there are restrictions on how often you can change employers with an H1B visa. You are allowed to make one employer switch in a six-month period, and you must wait until your new employer has obtained an approved change of status petition before beginning work. Additionally, if you are still within the total duration of your six-year H1B visa period, then you must wait until your new employer has received an approved H1B petition before you can begin working for them.