



Office of Diversity and International Affairs (ODIA)

H-1B Visa

The H-1B classification is for Tennessee State University (TSU) to sponsor a faculty member in a “specialty occupation”. A “specialty occupation” means an occupation that requires the theoretical and practical application of a body of highly specialized knowledge.

The person for whom TSU is filing the H-1B petition must be able to prove s/he meets all the minimum hiring requirements of the position, including the degree(s) in the appropriate field, license, etc., and must prove with an equivalency evaluation that any foreign degree is equivalent to the required U.S. degree.

The H-1B Visa is generally granted for three (3) years and can be extended for a total length of six years. It requires an approved Labor Condition Application (LCA) from the Department of Labor (DOL), an approved Petition for a Nonimmigrant Worker (I-129) from Department of Homeland Security (DHS), and the payment of various fees (\$325 I-129 Base Fee + \$500 Anti-Fraud Fee + \$1,225 Premium Processing Fee) to DHS. By federal regulations, the department must pay the full costs associated with filing for the H-1B status for the employee. These fees will range from \$825 to \$2,050. These fees may not be passed on to the employee in any way (even if the employee is willing to absorb the cost), as doing so effectively lowers the wage promised to the employee.

The H-1B filing process requires a minimum of 22 business days for approval and posting of the LCA prior to the filing of the Petition for a Nonimmigrant Worker (I-129). ODIA recommends starting dates for a new faculty member of 120 days after the return of the executed Notice of Appointment and Agreement of Employment for Faculty.

H-1B hires will be considered on a case by case basis. The ODIA office will start the H-1B process after all of the following conditions have been met:

1. The hiring manager has contacted Mark Brinkley 615-963-7660 to discuss the department selection process, H-1B eligibility for the potential employee, H-1B fees, and H-1B start date considerations
2. The department has completed the H-1B Nonimmigrant Workers Application form and returned the executed document to the ODIA office.
3. Vice President for Academic Affairs and TSU President’s approval for H-1B hires.

The H-1B process requires timely submission of applications and petitions to avoid expiration of the current authorization to work in the United States. Please notify the ODIA office (Mark Brinkley @ X7660) for assistance when it has been determined the selected candidate will need H-1B assistance.



H-1B Nonimmigrant Workers Application

Name _____

Email _____

Cell Phone # _____

Job Title _____

Job Description _____

Proposed Annual Salary _____

Employment Start Date-mm/dd/yyyy _____

Employment End Date-mm/dd/yyyy _____

College/Department _____

Previous Institution _____

Country of Origin _____

Expiration date of current work authorization-mm/dd/yyyy _____

Alien Registration Number/USCIS# _____

Form I-94 Admission # _____

Passport # and Country of Issue _____

Was this person the best candidate selected for the job? Yes____ No____

Any dependant (s) needing H-4 visa (s)? Yes____ No____

If yes, list names and relationship to H-1B - (H-1B pays I-539 filing fees \$290 + \$85)

Will the department pay H-1B filing fees? Yes____ No____

If yes, what fee(s): \$325 I-129 Base Fee + \$500 Anti-Fraud Fee + \$1225 Premium Processing Fee.

University Faculty Sponsor _____

Faculty Sponsor's Address _____

Faculty Sponsor's Email _____

Faculty Sponsor's office & cell # _____

Attach CV or Resume to form

Recommended by: _____
Department Head Date

Recommended by: _____
Dean Date

Approved: _____
VP-AA or designee Date

Approved: _____
TSU President or designee Date

To be completed by the Office of Diversity and International Affairs

Department request H-1B assistance on: _____

H-1B application received from College on: _____

Labor Condition Application (LCA) submitted on: _____

Labor Condition Application (LCA) posted on: _____

I-129 Petition completed and mailed on: _____

I-797 Notice of Action received on: _____

Review Completed by: _____
ODIA Staff Date