

Information/Documentation Required For International Faculty and Professional Staff

The purpose of this document is to assist in the processing of the H-1B temporary worker petition on behalf of those international faculty and professional staff hired by MSU departments.

Brief summary of H-1B temporary worker in a specialty occupation visa category: The H-1B non-immigrant classification is for positions that require a bachelor's or higher degree in a specific field. A maximum of three years can be requested at one time with a total of six years maximum in H-1B status. If the department terminates the H-1B international faculty/professional staff's position prior to the end period specified on the H-1B petition for any reason, the department is responsible for the reasonable costs of the return transportation to that person's home country or last permanent residence abroad. All fees associated with the filing of the H-1B petition are the responsibility of the employing department (all paid to the US Citizenship and Immigration Services/Department of Homeland Security): **\$190** for normal processing (expect a minimum of 4-6 months); **\$ 500** Anti-Fraud fee; Optional **\$1,000** Premium Processing fee for a 15 calendar day response.

In order to process the H-1B petition, we will need the following information from the international faculty/professional staff member. Please provide three copies of each document requested since two will be submitted to United States Citizenship and Immigration Services (USCIS, formerly INS) and one will be retained in our file:

Immigration Documents:

- Copy of passport (identity/photo page and expiration date).
- If you are currently in the U.S., copy of current I-94 with most recent U.S. entry stamp. Also provide copies of your non-immigrant documents based upon your current status:
 - o F-1 status: copies of your I-20s, non-immigrant work permission issued with an Employment Authorization Documents (EAD) – Copies of the original card (please make 3 since they are hard to copy from a copy).
 - o F-2 status: copies of I-20 of spouse and/or SEVIS I-20 listing you as dependent
 - o H-1B status: previous I-797 approvals with I-94 noting approved H-1B periods
 - o J-1 Exchange Visitor Status: copies of current and any previous DS-2019/IAP-66 documents. J Visa holders subject to the Two-Year Home Residency Requirement should also submit a copy of their waiver letter.
 - o Pending Permanent Resident: copies of receipts (e.g., from USCIS for the I-140, I-485 adjustment of status)

The following information is needed on the I-129 form and we will list it as it appears within your immigration documentation provided (above): Name (family name; given/first name; middle initial); Date of Birth; Country of Birth; Country of Citizenship; Alien Registration Number (if you have had F-1 optional practical training, this A# will be on your Employment Authorization Document). *If you know of discrepancies and/or errors on your immigration documents, please clarify in written form of any notations we need to make on the petition.*

Experience/educational credentials:

- ✓ Current CV/resume
- ✓ Copies of diplomas/degrees. Please provide translations if not in English. If your field of specialization/major is not listed on the diploma, please provide a transcript since your degree must "match" the requirements of the job offer.
- ✓ Publications (title page of one or two)
- ✓ If you do not have publications, other evidence of related experience such as presentations from professional conferences, reference letters, notable achievements/awards, etc.

Personal information:

- Social Security number (either a copy of the card or provide the number in writing).
- Questions on form I-129 that we will state “no” unless you inform us otherwise:
 - o Is any person in this petition in exclusion or deportation proceedings?
 - o Has any person in this petition been denied the H-1B classification?

Dependent family members:

The dependent spouse and children (under 21) of an H-1B temporary worker may apply for H-4 status. H-4 visa holders are not eligible to work in the U.S.

If your family members are currently in the U.S. and will change to H-4 status or extend their current H-4 status, the form I-539 must be completed by the family member. If the family member is a young child who is not old enough to sign, the parent may sign the form in the section “Signature of person preparing form if other than above.” The I-539 form can be obtained on the USCIS website (www.uscis.gov) under “Forms and Fees.” The filing fee for filing the I-539 is currently \$200 which includes all family members on the same form for the same fee.

If your family members are currently out of the U.S., please provide copies of passports (identity page, expiration date). MSU can provide a letter to assist the visa officials in appropriately issuing the H-4 dependent status so that it matches your H-1B visa end date.

Travel/visa information:

- If you intend to apply for the H-1B visa/status out of the U.S., provide the specific U.S. Consulate/Embassy city and country where you will apply for the visa. Canadian Citizens can specify an Immigration Port-of-Entry since a visa is not required. Also provide an address in that country location where you will stay until the H-1B visa/status is approved.
- Inform Human Resources of any planned travel outside of the U.S. If the H-1B petition is pending (either for a change of status or an extension), the departure of the U.S. indicates an “abandonment” of that request and you may be required to wait until the H-1B is approved and then apply for the H-1B visa at a U.S. consulate/embassy before returning to the U.S.

Thank you for collecting all of the necessary documentation and information to make your H-1B petition complete. Human Resources in collaboration with the International Student Office will complete the Department of Labor form and Immigration petition I-129 based upon your submitted materials. You as the employee will not need to sign the legal forms; Human Resources as a representative of Minnesota State University, Mankato will provide the required signatures. Please send your documents to the following address and feel free to contact us if you have further questions or concerns:

Minnesota State University, Mankato
Human Resources
336 Wigley Administration Building
Mankato, MN 56001
Phone: 507-389-2015 Fax: 507-389-2960
E-mail: julie.rabaey@mnsu.edu *

** ISO staff will work with OHR to assess the appropriate visa category and identify the appropriate immigration/visa procedures. Files for international faculty and professional staff in H-1B and TN visa categories will be retained in the Office of Human Resources.*

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