The H-1B Process

Non-CBA Position

Department submits H-1B Questionnaire & supporting documents

OISS files a Prevailing Wage Determination and receives a determination from Dep’t of Labor

CBA Position

OISS submits a Labor Certification Application (LCA) to Dept. of Labor

Dept. of Labor certifies the LCA

OISS submits an H-1B petition to USCIS

USCIS approves the petition

Worker in the US

Worker applies for visa at a US consulate & uses visa to enter the US

Worker can start working on USCIS authorized start date

Worker not in the US

Start process at least 5 months before desired start date

1-2 Weeks

Includes time for OISS to review documents

6-8 Weeks

*Needed only if Non-CBA

2 Weeks

3-5 Months

*If Premium Processing (+$1,225) => 15 Days

1-2 Weeks

*Needed only if worker not in already in US. Exact wait times vary by consulate.

CBA Position

Department posts Notice of Filing provided by OISS

OISS submits a Labor Certification Application (LCA) to Dept. of Labor

Dept. of Labor certifies the LCA

OISS files a Prevailing Wage Determination & receives a determination from Dep’t of Labor

Start process at least 5 months before desired start date