

Texas A&M International University
Summary of Visa Options for Employment at TAMIU
Office of Human Resources (updated 3/11/13)

| Visa | Description | Duration | Processing Time | Cost to Employee | Dependent Visa | TAMIU Support (Costs & Other) |
|--|---|--|--|--|--|---|
| H-1B Visa | * For specialty occupations that require a minimum baccalaureate degree or higher (i.e., tenure track or non-tenure track faculty, IT positions). | * Granted for a total of 6 years; 3 years at a time. | * Process takes 4-5 months. | | * H-1B application may include application for H-4's (dependent visas). | * TAMIU HR works under the direction of IFSS throughout process. H-1B application fee is \$325 (payable to U.S Department of Homeland Security) |
| | * Employing department, title, salary, and % effort on petition may not change. If so, re-petitioning to amend is necessary. | | * Petition can be adjudicated by USCIS in 15 days if filed under Premium Processing; Premium Processing fee is \$1225. | * Premium Processing fee is \$1225; petition is adjudicated by USCIS in 15 days. If it needs to be expedited for personal reasons. | * H-4's can attend school PT or FT but cannot work in the US. | * Fraud Prevention Fee of \$500 paid by employer for "new" or "change of employer" petitions. Premium Processing fee is \$1225; petition is adjudicated by USCIS in 15 days, if necessary. |
| | | | | | * H-4 application fee is \$290 (payable to USCIS). | |
| J-1 Visa | * For non-tenure-track positions as an invitation of employment to collaborate on research, lecture, or teaching activities. | * Granted for 6 months (Short-Term Scholar) to 3 years (Research Scholar/Visiting Professor.) | * Process takes 4-6 weeks. | * None unless for extension or transfer in which case application fee is \$130 (payable to USCIS.) | * J-1 application may include application for J-2's (dependent visas). | * TAMIU HR works under the direction of IFSS throughout process. If recommended by IFSS TAMIU HR will work with Texas International Education Consortium (TIEC) to obtain J-1. |
| | * J-1 visitor must have a specific objective and that objective must not change. | | | | * J-2's may seek employment authorization from USCIS by mail. | * TAMIU is not designated to issue J-1's, therefore, IFSS or TIEC obtains J-1's on our behalf. |
| F-1 Visa: Curricular Practical Training (CPT) and Optional Practical Training (OPT) | * CPT and OPT are provisions for employment under the F-1 student visa. | * CPT: Granted indefinitely during F-1 student status for employment before completion of studies. If FT employment, a pro-rated loss is applied to OPT eligibility. | * Refer to your int'l student services office. | * Refer to your int'l student services office. | * F-2's can attend school FT (in a course of study that is not degree-earning) but cannot work in the U.S. | * F-1 student applies through his/her int'l student services office. If TAMIU student, TAMIU's Office of International Student Services handles process. |
| | * Used for temporary employment in field of study before or after completion of studies. | * OPT: Granted for max of 1 year; employment may be before or after completion of studies. | | | | |
| | * May be used for tenure-track faculty positions. | | | | | |
| | * Not employer-specific; may work anywhere in the US as long as it is in field of study. | | | | | |
| TN Visa (Trade NAFTA) | * Used for temporary professional employment for Canadian and Mexican citizens only. Not recommended for tenure-track positions. | * Indefinitely renewable for 1 year at a time. | * Canadians can obtain on the spot at port-of-entry. | * Employee applies at port-of-entry and pays application fee. | * Dependents under age 21 are admitted as TD's. TD's can attend school but cannot work in the US. | * Letter of employment is needed from TAMIU. |
| | * TN's are employer-specific. Easier to obtain for Canadians than Mexicans. | | * Mexicans require prior processing that may take as long as 4-5 months (like an H-1B Visa.) | * Canadians can easily obtain visa at port-of-entry by presenting certain documents and paying application fee. | | * Letter of employment is needed from TAMIU. |
| | | | | * Mexicans require prior labor condition application and USCIS processing. | | |
| Permanent Residency (PR) | * Eligibility Criteria: Professional degree and labor certification for permanent position; int'l reputation; immediate family member is a US citizen or PR; refugee or asylee; diversity program. | * Indefinite; citizenship optional after 5 years (3 years if married to US citizen.) | * Extensive time, effort, documentation needed. | | * Employee pays for petition fees and attorney fees associated with dependent visa filing. | * With proper approval, HR will see if case can be done by IFSS as Special Handling or needs to be referred to System-authorized attorney. TAMIU HR works under the direction of IFSS or System-authorized attorney throughout process. |
| | * Special Handling category available for "teaching" positions; there must be paper or electronic ad in nat'l publication; must be done within 18 months of date of offer letter. IFSS can do Special Handling cases. | | | | | * In accordance with System Policy, TAMIU pays for any fees associated with filing the petition. |

** This chart is meant only to provide a brief overview. For a more detailed explanation, please consult with the TAMIU HR Office. For F-1 Visa cases, consult with the TAMIU Office of International Student Services.

** TAMIU HR Office contracts with the TAMU-College Station Office of Int'l Faculty & Scholar Services (IFSS). IFSS reviews cases; advises on proper visa; directs/organizes documents; and completes forms for signature.

** TAMIU's primary focus is that individuals have proper work authorizations.

** For more information, refer to System Policy 33.99.09 Employment of Foreign Nationals and System Regulation 09.04.01 Legal Counsel & Attorney General Opinion Requests.