

Visas for Teachers, At a Glance

H-1B “Work” Visa

Who is eligible?

- professionals with “a body of highly specialized knowledge along with at least a bachelor’s degree” who are neither citizens nor residents of the United States and wish to work in the United States

Who applies?

- employers apply on behalf of professionals

What is the duration?

- Visa is valid for three years and is renewable once (maximum of six years of validity)

What requirements must be met for the Labor Condition Application to be approved?

- employers must pay H-1B workers either the prevailing wage or the actual wage, whichever is higher
- the bargaining agent must be notified (more information on LCAs at http://www.dol.gov/dol/allcfr/eta/title_20/Part_655/20CFR655.730.htm)

Can the employee apply for Permanent Residence to the United States upon arrival?

- Yes

Can the employee bring family?

- Yes. The visa required is the H-4.

Which agency oversees the H-1B visa program?

- The U.S. Department of Labor
<http://www.dol.gov/compliance/guide/h1b.htm>

J-1 “Exchange” Visa

Who is eligible?

- Primary or secondary teachers who have a minimum of three years teaching experience, satisfy the standards of their state and are neither citizens nor residents of the United States wishing to work in the United States

Who applies?

- professionals, along with an eligible J-1 sponsor (for a list of sponsors, visit <http://eca.state.gov/jexchanges/index.cfm?fuseaction=record.list&cat=13>)

What is the duration?

- Visa is valid for one year and is renewable two times (maximum of three years of validity)

What requirements must be met for the J-1 visa to be approved?

- employees must be a primary or secondary teacher and must have significant ties to their country of origin (more information at http://www.hooyou.com/j-1/j1_j2_visa_faq.html)

Can the employee apply for Permanent Residence to the United States upon arrival?

- Yes, although some source countries require a return residency period.

Can the employee bring family?

- Yes. The visa required is the J-2.

Which agency oversees the J-1 visa program?

- The U.S. Department of State
http://travel.state.gov/visa/temp/types/types_1267.html