

UW Visa Basics 1



Overview – Visa Types
10/15/2025



TODAY'S TOPICS



- > Introduction to UW Visas
- > J-1 Exchange Visitors
- > H-1B Temporary Workers
- > TN Canadian & Mexican Professionals
- > E-3 Australian Professionals
- > F-1 & J-1 Student Trainees
- > EADs & LPRs
- > Resources & Q&A

BEFORE WE BEGIN...



- > Not everyone *needs* visa sponsorship
- > Not everyone *is eligible* for visa sponsorship
- > Not all appointments/employment relationships *qualify* for visa sponsorship
- > If sponsorship is needed, APF chooses the visa type
- > **All** UW-sponsored visas are processed by UW
- > If you have visa questions, you can always contact ISO

IS VISA SPONSORSHIP NEEDED?



You may ask:

- “Are you legally authorized to work in the U.S?”
- “Can you provide evidence within three business days after the start date that you are eligible to work in the U.S?”
- “Will you now or in the future require UW sponsorship for a visa or permanent residence?”

Don't *promise* a visa or permanent residence—agree only to *consider for possible sponsorship* of a visa in accordance with UW policy

SPONSORED VS. NON-SPONSORED VISAS



Sponsored by UW through ISO:

- > J-1 Exchange Visitor
- > H-1B Temporary Worker
- > TN and E-3 Treaty Workers
- > O-1A Extraordinary Ability
- > Legal Permanent Residence for some faculty members

Sponsored by schools (UW or other):

- > F-1 Optional Practical Trainees
- > J-1 Academic Trainees

Non-sponsored:

- > EAD Holders
- > Legal Permanent Residents

VISA ELIGIBILITY CAN DEPEND UPON:



> Scholar:

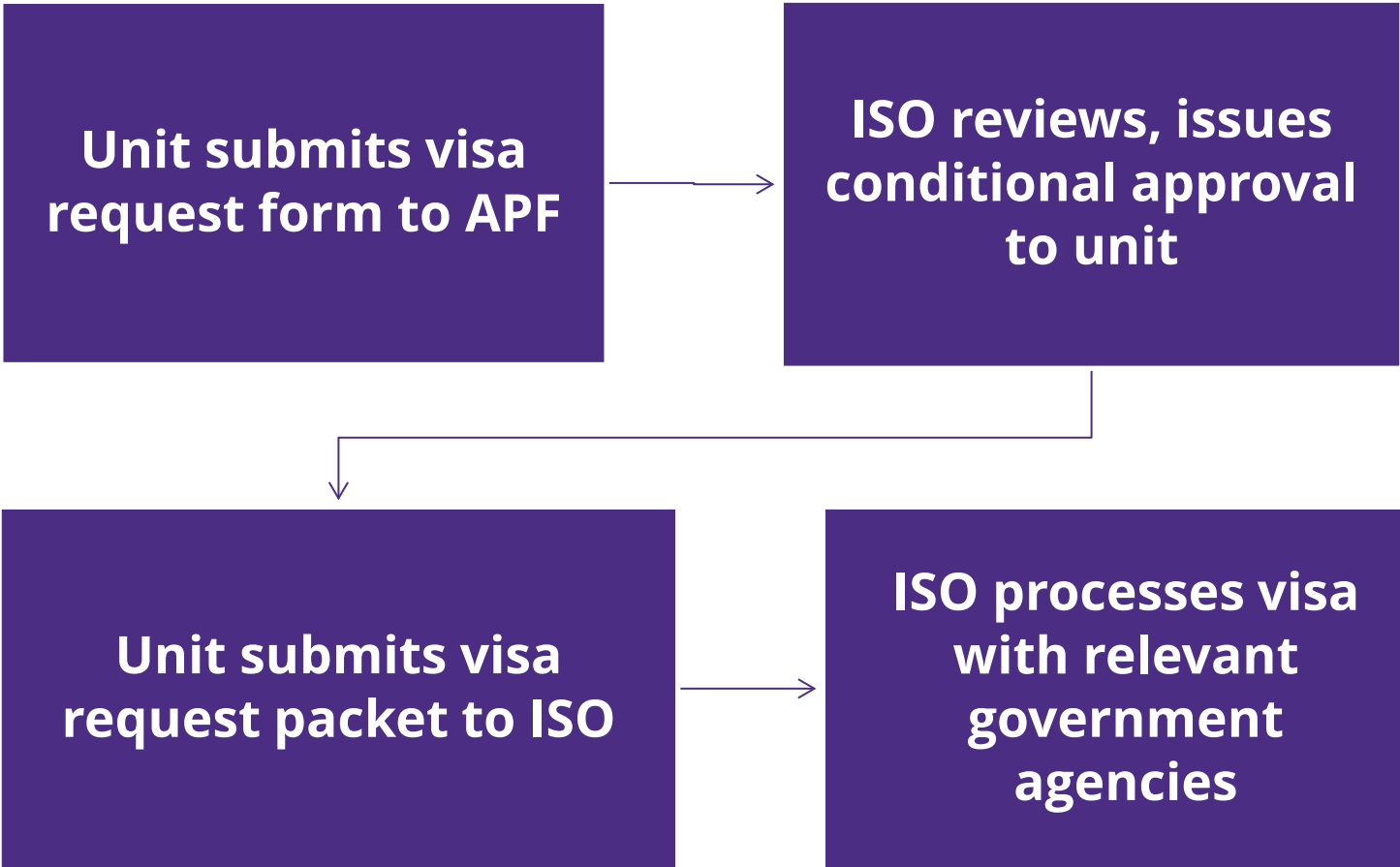
- Country of origin
- Whether they're in the U.S.
- Current visa status
- Previous visa history
- Highest degree
- Source of funding

> Employment/Appointment:

- Academic personnel or staff
- Track
- Minimum requirements
- Paid or unpaid
- FTE
- Duties

UW sponsors visas for full-time academic personnel titles, and full-time permanent staff titles identified by UWHR.

VISA REQUEST PROCESS



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graph TD; A[Unit submits visa request form to APF] --> B[ISO reviews, issues conditional approval to unit]; B --> C[Unit submits visa request packet to ISO]; C --> D[ISO processes visa with relevant government agencies];
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The flowchart illustrates the visa request process in four steps. It begins with a unit submitting a visa request form to the APF. This leads to the ISO reviewing the form and issuing conditional approval to the unit. From there, the unit submits a visa request packet to the ISO. Finally, the ISO processes the visa with relevant government agencies. A separate box on the right promotes a training session on November 5 for more information.

**Unit submits visa
request form to APF**

**ISO reviews, issues
conditional approval
to unit**

**Unit submits visa
request packet to ISO**

**ISO processes visa
with relevant
government
agencies**

**Come to our
UW Visa Basics 2 training
on November 5 for more
process information!**

J-1 EXCHANGE VISITORS



WHAT IS A J-1?



Exchange Visitor in the U.S. to *engage in academic exchange* through research, teaching, observation, consultation, or demonstration of special skills.

Must be *sponsored by designated J-1 program sponsor*, who administers their record through the Student and Exchange Visitor Information System (SEVIS).

[More information about J-1 Exchange Visitors](#)

ELIGIBLE TITLES



- > Postdoctoral Scholar
- > Acting Instructor
- > Acting Assistant Professor
- > Visiting titles

- × Tenured or tenure-track employment not allowed
- × Clinical titles or duties not allowed
- × Not compatible with permanent residence sponsorship or staff employment

UNIQUE FEATURES OF J-1 STATUS



- > Expectation of return to home country
- > J-1s must have:
 - Health insurance
 - English proficiency
 - Adequate funding
 - Cultural exchange plans
- > Easy and quick to issue, update, extend
- > No USCIS processing times or filing fees
- > J-2 dependent may apply for work authorization

LIMITATIONS OF J-1 STATUS



- > Sponsor-, activity-, category- & location-specific
- > No reductions in FTE or salary
- > Payment for outside activities permitted only if authorized by ISO in advance
- > Absences from U.S. of 30+ days should be [reported to ISO](#) if scholar has
 - Approved International Remote Work Request from the Office of Global Affairs
 - Approved protected leave request from APF

LIMITATIONS OF J-1 STATUS – TIME



- > New/arriving J-1 exchange visitors must
 - Arrive to the U.S. on or before DS-2019 start date
 - Check in with ISO within 30 days of DS-2019 start date
- > Period of stay: up to 5 years
- > 12 & 24 month bars on repeat participation in some J-1 categories
- > Possible 2-year home residence requirement (“212(e)”) preventing change of status or return to U.S. on H, L, or permanent resident visas (212(e))

H-1B SKILLED WORKERS



WHAT IS AN H-1B?



- > “Temporary Worker in a Specialty Occupation” requiring a post-secondary degree
- > Must be sponsored by a specific employer, and the terms and conditions of their employment must be reported to the Department of Labor (DOL) and to U.S. Citizenship and Immigration Services (USCIS)

[More information on H-1B temporary workers](#)

ELIGIBLE TITLES



- > Postdoctoral Scholars (if currently in the U.S.)
 - > F-1 OPT or J-1 holders must exhaust that eligibility before changing status to H-1B
- > Acting Instructors
- > Professorial appointments, all tracks
- > Residents/Fellows (subject to [GME Visa Policy](#))
- > Fellows – Non-ACGME
- > Lecturers Full-Time Temporary
- > [Permanent, full-time staff titles identified by UWHR](#)
 - > F-1 OPT must exhaust that eligibility before changing status to H-1B

UNIQUE FEATURES OF H-1B STATUS



- > Primary purpose is employment
- > Position must:
 - Require bachelor's degree or higher in a relevant field
 - Pay salary at or above both “prevailing wage” (paid to similar workers in greater Seattle area, based on Department of Labor data) and “actual wage” (paid to similar workers at UW)
- > USCIS filing fees of up to \$3765*
- > USCIS processing times without “premium processing” can take 3-12 months
- > H-4 spouse may seek employment authorization in limited circumstances

WHAT ABOUT THE NEW H-1B FEE?



- > The president recently announced a new \$100,000 fee on all new H-1Bs
- > Applies to new H-1Bs coming from outside the U.S.
- > ISO is working on strategies for affected cases
- > See [New H-1B Visa Fee Updates](#) for more information

LIMITATIONS OF H-1B STATUS



- > Employer-, title- & location-specific
- > No reductions in FTE or salary
- > No outside employment permitted
- > Early termination requires that the sponsoring unit pay the “reasonable costs of return transportation”
- > Period of stay: up to 3 years, renewable for total of 6 years (with some exceptions)

Q & A



Q: Do we need to report when an H-1B visa holder's pay goes up?

A: No, that change does not require reporting.

Q: If an H-1B scholar goes through a title change (for example, promotion), does that need to be reported to ISO? If so, what sort of changes need to be done to their visa?

A: In general a title change (including a promotion) requires a new H visa request to ISO and a new H-1B petition to USCIS. One benefit with filing this petition is that we can extend the H-1B based on the end date of the new appointment.

TN CANADIAN & MEXICAN PROFESSIONALS



WHAT IS A TN?

- > A Canadian or Mexican national entering as a professional under the U.S./Mexico/Canada Agreement (formerly NAFTA).
- > Can be processed directly at the border (for Canadians) or the U.S. consulate (for Mexicans) OR filed with USCIS.
- > Filing with USCIS requires a visa request to ISO, but processing at the border or consulate does not.

[More information on TN professional workers](#)

TN ELIGIBLE TITLES



- > No “dual intent” (not compatible with permanent residence, so not appropriate for professorial appointments)
- > Best for temporary appointments:
 - Postdoctoral Scholar
 - Acting Instructor
 - Lecturer Full-Time Temporary
 - Acting Assistant Professor
- > Also used for many [staff titles](#)
- > Doesn't allow physician patient care

UNIQUE FEATURES OF TN STATUS

- > TN status is employer- and job-specific
- > Does not require a prevailing wage determination or Labor Condition Application
- > Does not require a petition to USCIS or USCIS filing fees (except in-country changes of status or extensions)
- > Position must be a [USMCA Occupation](#)
- > Period of stay: Up to 3 years, renewable indefinitely
- > TD spouse not eligible for work authorization

E-3 Australian Professionals



WHAT IS AN E-3?



An “Australian Treaty Worker” requiring a post-secondary degree.

A lot like H-1Bs: Must be sponsored by a specific employer, and terms and conditions of employment must be reported to the DOL and (sometimes) USCIS

[More information on E-3 treaty workers](#)

E-3 ELIGIBLE TITLES



- > No “dual intent” (not compatible with permanent residence, so not appropriate for professorial appointments)
- > Best for temporary appointments:
 - Postdoctoral Scholar
 - Acting Instructor
 - Lecturer Full-Time Temporary
 - Acting Assistant Professor
- > Permanent, full-time staff titles identified by UWHR

UNIQUE FEATURES OF E-3 STATUS



- > E-3 status is employer, location- and job-specific
- > Requires Labor Condition Application, but no petition to USCIS (except in-country changes of status or extensions)
- > Can be processed at U.S. consulate abroad instead of through USCIS
- > Period of stay: Up to 2 years, renewable indefinitely
- > E-3D spouse may apply for work permit
- > Change of employer is harder with E-3 than with H-1B

O-1A EXTRAORDINARY ABILITY



WHAT IS AN O-1A?

- > A visa type for persons with “extraordinary ability in the sciences, education, business, or athletics, which has been demonstrated by sustained national or international acclaim”
- > Only for professorial faculty
- > Generally sponsored by rare exception only
- > Must be processed by or through ISO (at \$102/hour fee)

WHAT ABOUT THE PILOT PROGRAM?



- > ISO is working with an outside firm on a pilot program to better support/expand O-1A sponsorship
- > Attorney's + filing fees would be at least \$11,000 and must be paid by unit
- > Email acadvisa@uw.edu for more information if you're interested

F-1 & J-1 STUDENT TRAINEES



ELIGIBLE TITLES FOR TRAINEES



- > No “dual intent” (not compatible with permanent residence, so not appropriate for professorial appointments)
- > Best for temporary appointments:
 - Postdoctoral Scholar
 - Acting Instructor
 - Lecturer Full-Time Temporary
 - Acting Assistant Professor
- > Also compatible with staff employment

[More information on F-1 and J-1 Trainees](#)

REMEMBER:

Professorial ranks should change to H-1B as quickly as possible

All other employees should exhaust trainee eligibility before changing to H-1B

UNIQUE FEATURES OF F-1 “OPTIONAL PRACTICAL TRAINING”

- > Available to F-1 students graduating from U.S. schools
- > Processed through international students office and USCIS, NOT ISO
- > Initial OPT up to 12 months; STEM OPT up to another 24 months
- > Evidence of OPT is an EAD card
- > Employment must provide training in the student's field of study
- > For STEM OPT, employer must complete an I-983 Training Plan

UNIQUE FEATURES OF J-1 “ACADEMIC TRAINING”



- > Available to J-1 students graduating from U.S. schools
- > Processed through international students office and SEVIS, NOT ISO
- > Evidence of AT is a modified DS-2019 and letter from the school
- > Academic Training is not processed through USCIS; students do not receive an EAD card
- > Initial academic training up to 18 months; postdoctoral academic training up to an additional 18 months
- > Does not allow clinical activities

EMPLOYMENT AUTHORIZATION DOCUMENTS (EADs)

- > Certain foreign nationals may apply for an EAD
- > Most EADs provide unlimited employment authorization within the validity dates on the card
- > EAD holders may include, but are not limited to:
 - Asylees/refugees
 - Temporary Protected Status (TPS)
 - J-2 dependents of J-1 Exchange Visitors
 - Applicants for adjustment of status
 - Many other classifications



PERMANENT RESIDENCE

- > UW sponsors most professorial faculty for permanent residence
- > Once approved, permanent residence is documented by a “green card”
- > Provides unlimited authorization to work in the U.S. in position or field of choosing



If ISO receives visa request for a position eligible for permanent residence sponsorship, we will contact you to start the process.

Q & A



Q: What is the difference between the O-1A and EB-1B visas?

A: These are separate visa types:

- O-1A is a nonimmigrant visa (that is, a pathway to enter the U.S. and work) for individuals with Extraordinary Ability in the sciences, education, business, or athletics, requiring a showing of “sustained national or international acclaim”.
- EB-1B is an immigrant visa (that is, a pathway to legal permanent residence) for Outstanding Researchers or Professors, requiring a showing of “sustained international recognition”.

We are working on adding more information regarding both O-1A and EB-1B sponsorship to our website.

RESOURCES



- > [ISO Visa Guidance for Unit Administrators](#)
- > [Visa content on APF blog](#)
- > [APF Training Resources Archive](#)
- > [UWHR Staff Visa Sponsorship](#)
- > acadvisa@uw.edu