

H1B Employees Responsibility Agreement

UMDNJ

International Services

65 Bergen Street, GA-72, Newark, NJ 07101

H1B employees are authorized to remain in the U.S. up to the date specified on the I-94 (arrival/departure) card as long as they abide by the rules & regulations of the H1B status. There is an important difference between an H1B visa and H1B status. The visa is a label placed in a passport by a U.S. consular officer and granted for entry purposes only. H1B status is granted by an immigration officer when the foreign national enters the U.S. and is regulated by the U.S. Citizenship & Immigration Services (USCIS). Even if the H1B visa is valid, failure to comply with immigration laws and regulations could represent a loss of the H-1 status and can have very serious legal consequences. UMDNJ is required to report to the federal government H1B employees who fail to maintain their legal status. The following information is provided in order to help foreign nationals understand their rights and responsibilities as H-1B employees and should be read carefully.

1. Total period of H-1 authorization may not exceed 6 year. This includes time previously spent in H-1 or L-1 status. Applications for H-1B status may be submitted only for up to 3 years at a time.
2. The H-1B status is employer and job specific. You may not accept employment with a different employer or change titles at UMDNJ without first filing a new H-1 application with the USCIS.
3. There is no automatic grace period at the end of the H-1B status. Once the employer-employee relationship is terminated, the employee is considered to be "out of status" and must leave the U.S., unless there is a pending H-1B petition with the USCIS from another employer or a pending petition for a change of status to another nonimmigrant classification.
4. H-1B employees must notify International Services immediately of any intent to terminate their employment with UMDNJ before the expiration date of the approved H1B petition.
5. In the event that the employment is terminated by UMDNJ prior to the expiration date of the H-1B approval, the sponsoring department is responsible for covering reasonable travel expenses for the employee's return to their last country of legal residence. The sponsoring department is not responsible for travel expenses if the decision to terminate the employment comes from the H-1B employee.
6. H-1B employees must report, in advance, to the Manager of International Services any changes to their title, duties, and the location where duties are being performed, additional job sites, or salary increases beyond the general yearly increase. An amended H-1 petition must be filed with the USCIS **before** the change(s) takes place.
7. Extensions of the H-1B status must be filed with the USCIS prior to the expiration of the current approval. Applications for extension can be submitted no more than 6 months prior the expiration date of the I-94 card. Requests for extension must be completed by the sponsoring department and submitted to International Services at least 2 months before the expiration date of the current approval.
8. Action taken to extend or change the H1B worker's status does not automatically cover H4 dependents. Requests for changes of status or extensions of stay for H4 dependents must be done by filing Form I-539 with the USCIS.
9. The H4 dependents' status is contingent upon the continued validity of the H1B worker's status. Loss of legal status by the H-1B worker represents automatic loss of legal H4 status for his/her dependents.
10. H4 dependents are spouses and unmarried children under the age of 21. H-4 children who turn to 21, or who marry, are no longer eligible for H4 status.
11. H4 dependents may legally study in the U.S., but are not authorized to be employed in the U.S.
12. The foreign national's passport must be valid at all times for at least 6 months into the future.
13. Foreign nationals must report changes of address to the USCIS within 10 days of moving by completing and submitting to the USCIS Form AR-11. The form AR-11 can be found at <http://www.uscis.gov/files/form/ar-11.pdf>.

I certify that I have been informed of my rights and responsibilities as an H-1B worker. I understand that I must abide by USCIS regulations in order to remain legally in the U.S. and to continue my employment at UMDNJ.

Print name _____
Last (family) name First (given name) name

Signature _____ Date _____