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CLIENT BULLETIN
Information that You Can Use

H-1B Professional Worker Visa Window Opens on April 1, 2010

Employers seeking to sponsor H-1B professional workers in 2010 should begin the application process now to maximize chances of obtaining one of the limited visas. Due to recent Department of Labor administrative changes, the H-1B application process requires more preparation time than in years past. Petitions can be filed starting April 1, 2010.

The H-1B Visa

The H-1B visa enables U.S. employers to sponsor professional foreign nationals for employment in the United States. This category is for professional jobs which require a Bachelor's degree or higher in a specific field.

H-1B Numerical Limitations

The current H-1B quota is limited to 65,000 per fiscal year, with an additional 20,000 set aside for foreign nationals with a U.S. Master's degree. The H-1B category remains one of the most high demand work visas despite the recent economic slowdown. In the previous years, H-1B demand has far exceeded availability resulting in thousands of petitions being rejected by U.S. Citizenship and Immigration Services (USCIS). This year, H-1B numbers were exhausted just three months into the fiscal year.

Prepare to File H-1B Petitions on April 1, 2010

On April 1, 2010, USCIS will begin accepting H-1B petitions for the new fiscal year, which begins on October 1, 2010. Employers should begin the preparation process as soon as possible to prepare for an April 1, 2010 filing.

Additional Information

This information is a general guideline and should not be construed as legal advice. For additional information concerning H-1B visa eligibility, filing strategies or alternative immigration options that may be available, contact the members of Stoll Keenon Ogden's Immigration Practice Group:

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