HIRING INTERNATIONAL EMPLOYEES AND SCHOLARS

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UNIVERSITY OF WYOMING



International Student Employment

Current Students

Current students may work ON CAMPUS up to 20 hours per week

- Paycheck must come from UW
- Full-time GA assignment is considered 20 hours
- May work more than 20 hours over official breaks such as winter break, spring break, summer vacation

Curricular Practical Training

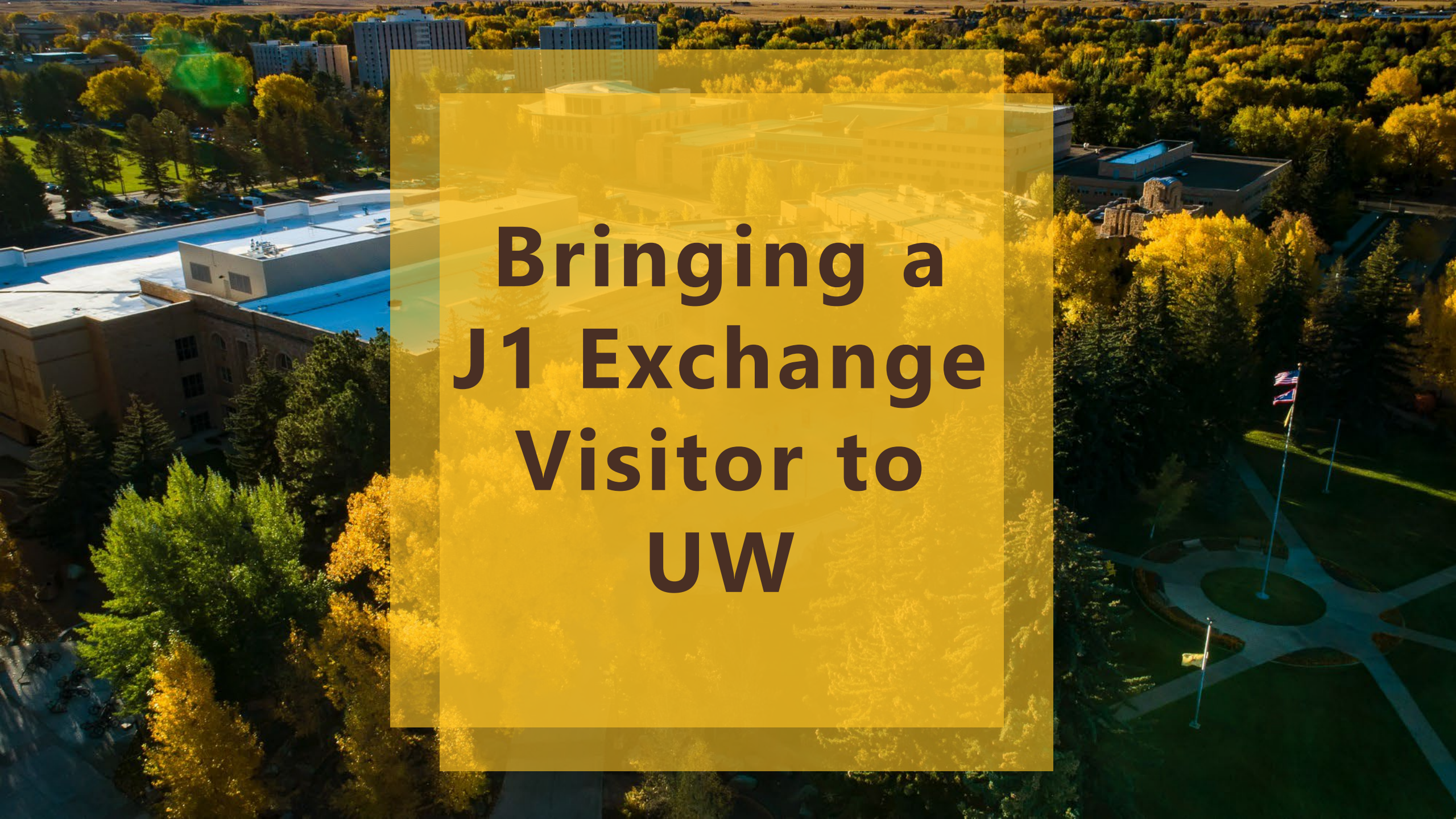
CPT allows students to work more than 20 hours per week and/or off-campus

- Must have a curricular component / be related to degree
- Purpose is for education, NOT employment
- Students must be registered for a related class
- Must be term based

Optional Practical Training

OPT allows for continued training in the field after program completion

- Every student is eligible for one year of Post-Completion OPT; students in STEM majors may apply for an additional two year extension
- Must be related to degree
- No registration requirements, may be employed anywhere in the US



Bringing a J1 Exchange Visitor to UW

J1 Exchange Visitor Program

Purpose of the J1 Exchange Visitor Program:

- Foster the exchange of ideas between Americans and foreign nationals
- Stimulate international collaborative teaching, lecturing and research efforts
- Promote the exchange of ideas, research, mutual enrichment, and linkages between research and educational institutions in the United States and foreign countries

By providing foreign professors and research scholars opportunity to:

- Engage in research, teaching and lecturing with their American colleagues
- Participate actively in cross-cultural activities with Americans
- Share with their countrymen their experiences and increased knowledge of the United States and their substantive fields

UW Sponsoring Department Requirements

- Screen and select qualified foreign nationals to further education, research and exchange initiatives;
- Monitor the visitor's stay in the United States, ensure that they are progressing in the work being performed or the research being conducted;
- Ensure that they are involved in cross-cultural programs where they can learn about the United States and its people; and
- Report updates and emergencies to ISS during program

Additional Notes About J1 Exchange Visitors

- Can be paid or unpaid by UW - must show proof of funding if not paid by UW
- Cannot be hired in a tenure track position
- Maximum length of stay in the US determined by J category – 6 months to 5 years
- May impact ability to remain in, or return to, the US in the immediate future

Department Requirements & J1 Notes

J1 Categories at UW

Short-Term Scholar

Professors, research scholars and other individuals with similar education or accomplishments travel to the United States on a short-term visit for to lecture, observe, consult, train or demonstrate special skills at research institutions, museums, libraries, post-secondary accredited academic institutions or similar types of institutions. Must be a professor or research scholar or someone with similar education and or experience in their country of residence. Duration: 3 weeks to 6 months

Research Scholar

This category is for a foreign national who enters the United States for the primary purpose of conducting research, observing or consulting in connection with research projects at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar may also teach or lecture, unless disallowed by the sponsor. Duration: Up to 5 years

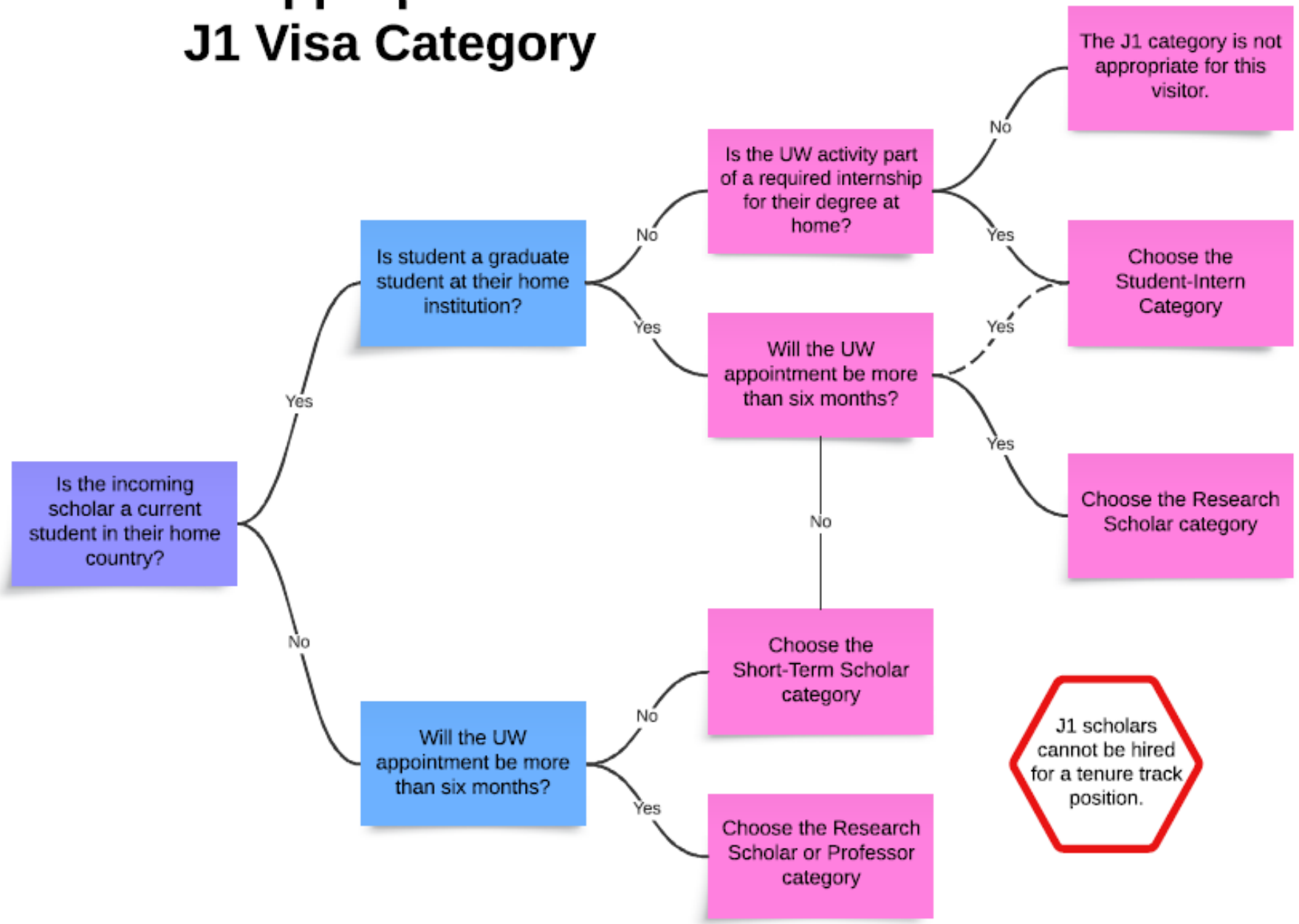
Professor

The exchange of professors promotes the exchange of ideas, research, mutual enrichment and linkages between research and academic institutions in the United States and foreign countries. The professor category is for a foreign national who enters the United State for the primary purpose of teaching, lecturing, observing or consulting at accredited post-secondary academic institutions, museums, libraries or similar types of institutions. A professor may also conduct research, unless disallowed by the sponsoring organization. Duration: Up to 5 years

Student Intern*

The Student Intern Program allows foreign nationals enrolled in and pursuing a degree at an accredited post-secondary academic institution outside the United States an opportunity to participate in an internship program in the United States that will fulfill the educational objectives for his or her current degree program at his or her home institution. Duration: 3 weeks to 12 months
*Additional documents required for DS-2019 issuance, and progress reports to ISS during internship.

Choose the Appropriate J1 Visa Category



Requesting the Form DS-2019 from ISS

1. Review the Exchange Visitor information to determine the appropriate J visa category. Other visa options may be more appropriate such as the H1B visa for employment (contact UW HR for info);
2. Determine the UW appointment dates. Due to visa processing delays at many US consulates the intended Exchange Visitor and/or sponsoring faculty should check the visa wait times at the consulate and plan the UW appointment start date accordingly. ISS requests at least one week to review submitted requests, but processing might be delayed during busy times of the semester.
3. Complete the "J-1 Exchange Visitor Sponsoring Department Information" and "Campus Notification of Intended J-1 Exchange Visitor Appointment" forms, including collecting all required signatures;
4. Have the potential Exchange Visitor complete the "J-1 Exchange Visitor Information" form and return it to you, along with additional documents: copy of passport for visitor and all dependents who will accompany them to the US, documents for previous J visa stays in the US if applicable; proof of English proficiency, proof of funding if not UW. See below for information about these documents;
5. Submit all forms and documents to ISS via the online J1 Exchange Visitor Sponsor Request survey;
6. ISS will review the forms and documents, contact the sponsoring faculty for any questions, and issue the immigration Form DS-2019. The Form DS-2019 will be emailed to the exchange visitor and faculty. Email will include next steps for the exchange visitor to take to apply for visa, prepare for travel to the US, and how to officially check-in with ISS upon arrival to the US.

Sponsoring faculty must collect and submit online with the information forms:

- English Proficiency – "Sufficient proficiency in the English language, as determined by an objective measurement of English Language proficiency, successfully to participate in his or her program and to function on a day-to-day basis"
  - TOEFL 525 or 71 iBT; IELTS 6.0; CET6 430; DuoLingo 100
  - English3 J-1 Interview minimum score of 3 (scores directly to ISS)
  - Completion of an ESL program or a degree from a university where instruction is completely in English
- Proof of Financial Support – $1500/month for duration of appointment time requested, plus $500/mo for first dependent and $325/mo for each additional dependent
- Clear Scan of Passport(s) – for scholar and all dependents
- Documents and Information for Previous J Visa Stays in the US – to determine eligibility for participate in a J1 appointment at UW

Additional Documents Required for DS-2019

QUESTIONS

University of Wyoming

Global Engagement Office
International Students and Scholars



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H-1B Sponsorship & The UW Immigration Process

What campus leaders, supervisors, and employees need to know

Deborah Marutzky | Manager, Talent Acquisition

Human Resources | University of Wyoming

November 9, 2026

UNIVERSITY OF WYOMING

What we want you to leave knowing

- What H-1B sponsorship is — and what UW's cap-exempt status does and does not mean
- How a sponsorship request moves through UW, outside immigration counsel, DOL, and USCIS
- What departments, HR, attorneys, and employees each contribute
- Which employment changes and travel plans should trigger an early call to HR
- Where to find UW-specific guidance and current updates

The central message

Contact HR early. Do not make immigration-related employment changes based on assumptions.

H-1B Program Basics

A temporary employment classification

H-1B status allows an employer to employ a noncitizen in a qualifying specialty-occupation position, subject to federal requirements.

Employer- and job-specific

The petition is tied to the petitioning employer, the position, and the authorized work location(s). A visa stamp and immigration status are not the same thing.

- Specialty occupation: requires the theoretical and practical application of specialized knowledge and at least a bachelor's degree in a directly related specific specialty (or equivalent), under the governing rules.
- H-1B status is generally limited to six years, with exceptions that may allow extensions beyond the usual limit.
- USCIS decides each petition based on its facts and supporting evidence.

H-1B Program Basics

What cap-exempt means

Qualifying universities and certain nonprofit or research organizations may file qualifying H-1B petitions without the annual numerical cap or lottery.

For UW, this provides greater flexibility to pursue sponsorship throughout the year.

What it does not mean

- No exemption from specialty-occupation rules
- No exemption from wage and working-condition obligations
- No guarantee of USCIS approval or timing
- No automatic permission to work or travel

Cap-exempt is about the annual numerical limit the federal government allows — not an exemption from the rest of the H-1B process.

Roles & Responsibilities

Department/Supervisor

- Identify the need early
- Provide accurate job details
- Confirm budget and approvals
- Respond promptly to HR/counsel
- Notify HR before changes

Human Resources

- Central UW coordinator
- Evaluate employment details
- Coordinate department & employee
- Engage contracted counsel
- Track process and advise on changes

Contracted Attorneys

- Assess legal eligibility
- Prepare petition materials
- File LCA and H-1B petition
- Advise on RFEs/NOIDs
- Provide case-specific legal guidance

Employee

- Provide requested records
- Keep HR informed
- Monitor status/expiration
- Discuss travel plans early
- Follow work authorization terms

Departments should route sponsorship requests through UW HR — not independently initiate a filing with counsel.

Eligibility & Wage

- The position must meet the specialty-occupation standard — a degree requirement alone is not enough.
- The degree field(s) must have a direct relationship to the duties; the position description should explain why that specialized knowledge is required.
- The employee must meet the position's requirements through the required degree or an accepted equivalent.
- HR and contracted counsel review the position and candidate information before confirming whether sponsorship is supportable.

Think about the evidence

Specific duties + why the work requires specialized knowledge + how the required degree field relates to those duties.

Eligibility & Wage

What determines the wage?

- Occupation and actual job duties
- Required education and experience
- Work location
- Applicable wage source and level
- Actual wage paid to comparable UW employees

What departments need to know

UW must pay at least the higher of the applicable prevailing wage or actual wage, consistent with the LCA requirements.

A department's available budget does not override the wage obligation.

Remote and hybrid work locations matter. Tell HR about the actual worksite before an arrangement is approved.

UW's H-1B Process

1 Department	Top candidate requires sponsorship → notify Recruiting / HR
2 HR + counsel	Review position and candidate; confirm whether sponsorship is supportable
3 Wage review	Counsel obtains prevailing wage based on position and location
4 Documents	Counsel coordinates document collection with employee, HR, and department
5 DOL	Counsel files Labor Condition Application (LCA) for certification
6 USCIS	Counsel prepares and submits Form I-129 petition and supporting evidence
7 Decision	USCIS approval, denial, RFE, or NOID; counsel advises on response / next steps

HR coordinates the UW process; contracted immigration counsel performs the legal filing work.

H-1B Process & Timeline

UW website: sample pre-filing steps

- Position/candidate review: 1–5 days
- Prevailing wage determination: 1–5 days
- Document collection: 1–2 weeks
- LCA filing/certification: approximately 1 week
- Petition preparation: 1–3 weeks

USCIS and consular processing

- Standard USCIS processing can take several months.
- Premium processing is an optional expedited service with a 15-business-day adjudicative timeframe for covered requests (not a guarantee of approval).
- Consular appointments, administrative processing, travel, and entry can add time.

Guidance indicates the overall process can take six months or longer. Begin early and treat all timelines as estimates, not commitments.

H-1B Process & Costs

Government filing fees

USCIC fee-book currently lists:

- I-129 petition fee: $460
- Anti-fraud fee: $500
- Premium processing: $2,965 (optional)

Attorney Fees

Estimated* legal-fee range of $2,500–$3,500, depending on petition type and circumstances.

Additional work (such as an RFE response or appeal) may carry separate costs.

Budgeting reminder

Fees can vary by case, filing category, and future federal changes.

HR and counsel will confirm the applicable fees and who may pay each fee before filing.

Do not use this slide as a fee quote. The UW resource page and current USCIS fee schedule should be checked for each case.

H-1B Process & Possibilities

Approval

The petition is approved for the terms and conditions stated in the approval. Additional steps may be needed for visa issuance or employment onboarding.

RFE / NOID

USCIS requests additional evidence or gives notice of intent to deny. Counsel evaluates the notice and coordinates a response within the deadline.

Denial

Counsel reviews the decision and available options. Any appeal or motion has strict deadlines and requires case-specific legal advice.

Consular step

For employees outside the U.S. or requiring a visa stamp, embassy/consulate processing and entry are separate steps.

A petition approval, a visa stamp, admission to the U.S., and authorization to begin work are related — but separate and distinct — steps.

Ongoing Compliance

- Position, title, job duties, or reporting changes
- Salary, compensation structure, FTE, or work schedule changes
- Worksite changes — including remote work or relocation to another state
- Extended leave, unpaid leave, or an absence that may affect employment
- Promotion, transfer, reduction in hours, department move, or separation
- Any question about an employee’s work authorization or expiration date

Rule of thumb

Contact HR before implementing the change. Do not assume an amendment is or is not required.

Ongoing Compliance

Before international travel

Ask the employee to contact HR early. Travel and reentry depend on the employee's individual status and documents, visa validity, passport, and current government procedures.

UW's page recommends carrying employment and immigration documentation while traveling.

After arrival / during employment

- Complete Form I-9 within required deadlines.
- Follow the approved employment terms and worksite.
- Keep track of expiration dates and extension planning.
- Tell HR promptly about changes or concerns.
- HR and counsel can help assess case-specific questions.

Supervisors should not give employees definitive immigration or travel advice. Refer questions to HR.

Federal Developments & Policy Watch

2025–2026

• Sept. 19, 2025: Proclamation 10973 announced a $100,000 payment tied to certain H-1B entry/petition circumstances.
• Sept. 18, 2026: Proclamation 11069 extended the restriction for another 12 months.

Court decisions

• June 8, 2026: Massachusetts district court vacated agency implementation policies.
• July 24, 2026: First Circuit denied the government's request to stay that vacatur.
• Sept. 30, 2026: Northern District of California also vacated agency policies and enjoined agency enforcement pending required rulemaking.

What to say today

The proclamation remains part of the policy landscape, but the agency implementation policies have been vacated by federal courts. Related litigation and potential new rulemaking continue. HR and counsel must confirm applicability for each case.

All H-1B filings are being handled on a case-by-case basis.

Federal Developments

- H-1B modernization rule (effective January 17, 2025): clarified specialty-occupation and employer compliance provisions.
- Weighted selection for cap-subject H-1B registrations: applies to the annual cap process, not UW's qualifying cap-exempt petitions.
- DOL prevailing-wage proposal (published March 2026): proposed changes could affect future wage calculations; a proposal is not a final rule.
- DHS proposed $103,265 fee rule (August 2026): separate from the $100,000 proclamation payment; proposed rule status must be checked before describing it as a requirement.
- Premium processing fee: $2,965 for covered H-1B requests postmarked on or after March 1, 2026.

The practical takeaway: policy changes are monitored by HR and counsel — departments should not interpret proposals as current requirements.

Discussion

1 A promotion

A supervisor wants to promote an H-1B employee, change the title, add duties, and increase salary.

What should happen first?

Answer: Contact HR before the change is implemented.

2 Remote work

An employee asks to work from another state for the next semester.

Can the supervisor approve it because the job duties are unchanged?

Answer: No — HR must review the worksite implications first.

3 Travel plans

An employee plans international travel while an extension or visa matter is pending.

What should the employee do?

Answer: Contact HR early so appropriate personnel can assess the individual circumstances.

All H-1B situations are being handled on a case-by-case basis.

Key Takeaways & UW Resources

- Start early — H-1B sponsorship is not an overnight process.
- Route all sponsorship requests and changes through UW Human Resources.
- UW HR coordinates the process; contracted immigration attorneys prepare and file petitions.
- Departments must provide accurate information and contact HR before employment changes.
- Employees should stay engaged with HR about documentation, status, expiration dates, and travel

UW H-1B Resources

- Website: Includes UW process/timeline, fees, travel guidance, FAQs, and UW SAP 5-5.5.
  - https://www.uwyo.edu/hr/talent-acquisition/h-1binformation.html
- Policy: https://www.uwyo.edu/regs-policies/_files/docs/policies/uw-sap-5-5.5-hiringintlemployeesscholarsandstudents-approved-6-3-25.pdf

Key Takeaways & UW Resources

Questions?

For H-1B sponsorship questions, contact UW Human Resources / Talent Acquisition.
Use the UW H-1B Information page for current process guidance and resources.

Permanent Residence

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What is Permanent Residence?

- “Green card”, lawful permanent residents (LPR)
- Live and work permanently in the U.S.
- Own property, receive financial assistance at public colleges and universities, and join the Armed Forces
- May apply for citizenship after a period of time



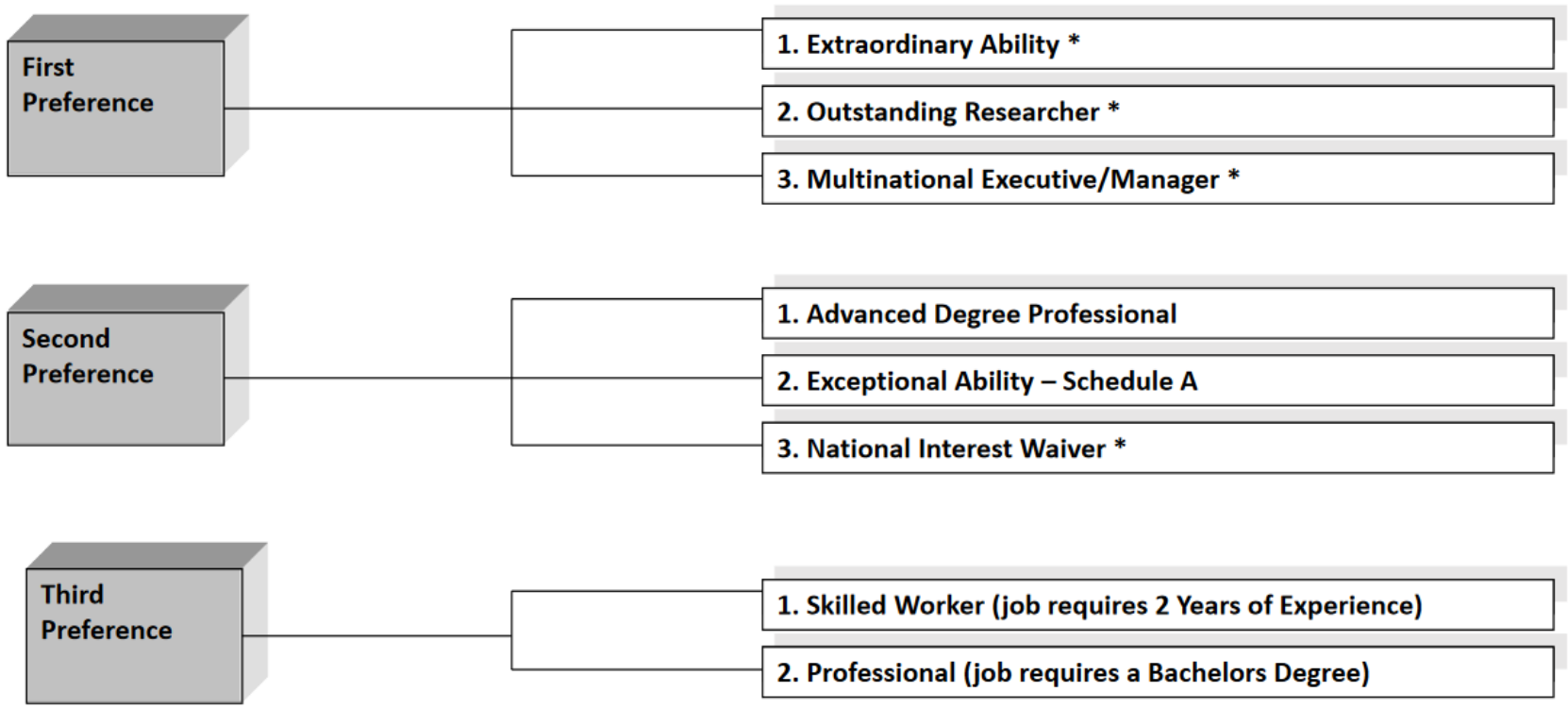
Pathways to Becoming a Permanent Resident

- Family-based
- Employment-based
- Humanitarian
- Diversity
- Employment-based
- Other



Employment-Based Preference Categories

*No Labor Certification Required



Graphic from Foster Global Immigration presentation at Rice University: https://rice.app.box.com/s/3of5maxnfpmbrjobn0bophq8mtf63hil

Other Types of Visas

- O-1: Individuals with Extraordinary Ability or Achievement
- TN: USMCA Professionals (Canadian or Mexican citizens)
- E-3: Specialty Occupation Workers from Australia

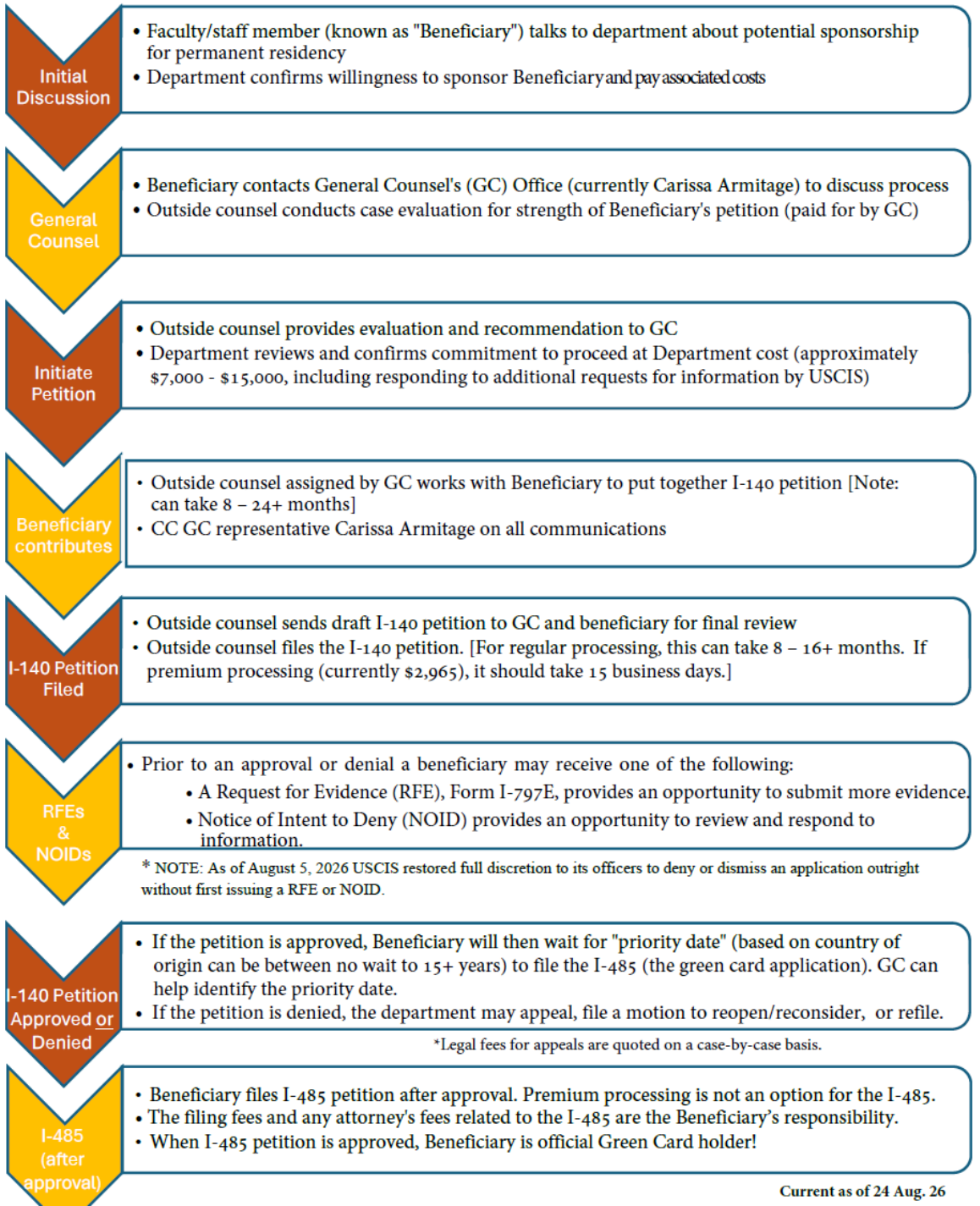
Considerations for Permanent Residency

- Eligibility
- Timing
- Costs



Green Card Process

- UW SAPP 5-5.5:
  - Department pays for I-140
  - Beneficiary pays for I-485
  - Premium Processing Discretionary



Questions?

