

## 10 Key Steps for an H-1B Process

By [Andrew M. Wilson](#)

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I had a request for a basic overview of an H-1B process. Nothing magical here, but below are 10 key steps for any H-1B matter.

- Have immigration counsel review salary and prevailing wage issues before any offer is made.
- Have immigration counsel review how much H-1B time is remaining for the individual before any offer is made.
- Have immigration counsel review any prior green card paperwork filed for the individual before any offer is made.
- Have immigration counsel review the applicable occupational classification for the position and any potential specialty occupation issue before any offer is made.
- Include “contingent on immigration approval” language in the offer letter.
- Immigration counsel prepares LCA posting and files LCA with DOL—LCA usually takes 7 calendar days.
- Immigration counsel prepares I-129 and other related paperwork for H-1B filing.
- Immigration counsel prepares supplemental paperwork to address specialty occupation, degree relationship and other issues.
- File H-1B paperwork and discuss start date timing.
- Track H-1B filing and address any secondary issues such as driver’s license renewals, travel needs, biometrics for H-4.

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**ALBANY** | 54 State Street, Suite 1001 • Albany, NY 12207 • 518.462.0110

**BUFFALO** | 50 Fountain Plaza, Suite 1700 • Buffalo, NY 14202 • 716.853.5100

**CHICAGO** | 125 S Clark St., 17th Floor • Chicago, IL 60603 • 872.254.5500

**CLEVELAND** | 1228 Euclid Avenue, 5th Floor • Cleveland, OH 44115-1843 • 216.363.9000

**GREATER TORONTO AREA (PRACTICE FOCUSED ON U.S. LAW)** | 1100 Burloak Drive, Suite 300 • Burlington, ON L7L 6B2 • 905.319.8964

**JACKSONVILLE** | 10151 Deerwood Park Blvd. , Bldg. 300, Suite 300 • Jacksonville, FL 32256 • 904.660.0020

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**NEW YORK CITY** | 260 Madison Avenue, 17th Floor • New York City, NY 10016 • 332.345.4500

**ROCHESTER** | 400 Linden Oaks Dr., Suite 150 • Rochester, NY 14625 • 585.770.7590

**SAN ANTONIO** | 4499 Pond Hill Road, • San Antonio, TX 78231 • 210.436.6222

**WASHINGTON, D.C.** | 1900 K Street, NW, Suite 730 • Washington, DC 20006 • 202.888.7610