

H-1B Visa Program Provides Limited Employment Authorization for Educated Workers

Key Elements of the H-1B Visa Program



Specialty Degree Required

Organizations seeking to hire foreign workers through the H-1B visa program usually must hire a candidate with a bachelor's degree or higher, in a field substantially related to the job in question, and for a job that requires that degree.



Limited Stay

Visa holders can initially stay in the U.S. for three years with the possibility of an additional three-year extension; exceptions can be granted for visa holders who apply for a green card before their fifth year of holding a visa



Wage Equity and Labor Protection

Corporations hiring H-1B visa workers must hire workers at or above the "prevailing wage" in the area of employment in question, and may not hire workers to replace or fill in positions of striking workers



Annual Limits on Total Amount

There is a cap of 65,000 H-1B visas each fiscal year, with an additional 20,000 visas issued to immigrants who hold a master's degree or above from a U.S. university; universities, university-affiliated non-profit research facilities, and government research facilities are exempt from this cap