



MEMORANDUM

TO: University of Chicago H-1B Specialty Worker
FROM: Office of International Affairs (OIA)
SUBJECT: Effect of the termination of your employment before the end date on your H-1B Approval Notice

PLEASE CONTACT OIA

This information is provided to you because your employment is being terminated by the University of Chicago. Based on regulations of the U.S. Department of Labor and the U.S. Citizenship and Immigration Services we must therefore revoke your H-1B petition and will notify both agencies in a timely manner. This also means that you must depart from the U.S. unless you obtain employment elsewhere or file for a change of status within the U.S. before your current employment ends. Please do not hesitate to contact our office for an appointment to discuss options available to you at this time. We can be reached at (773) 702-7752 or international-affairs@uchicago.edu. Your call or message will be forwarded to someone who can assist you. Of course, if you know who your H-1B adviser is, you may also contact him/her directly. In the meantime, please review the information below carefully.

EMPLOYMENT

In the eyes of the U.S. government, employment for the petitioner, and **only** the petitioner, is the purpose of the H-1B worker's presence in this country. In your case, the petitioner is the University of Chicago, and you have permission to stay in the U.S. until the end of that employment. You may only work during the validity dates of the H-1B and only for the employer who filed the petition. If your employment with the University of Chicago ends before the expiration of the H-1B Approval Notice (Form I-797), which you received from OIA, you are expected to leave the country immediately or no longer than the grace period allotted, unless you have applied for a change of status or another employer has filed an H-1B petition for you.

RETURN TRANSPORTATION

If an employer terminates the employment of an H-1B worker before the expiration date shown on the I-797 Approval Notice, the employer must pay for return transportation to the worker's last country of residence outside the U.S. (Dependents and the H-1B worker's household goods are the worker's own responsibility.)

PENALTIES FOR LATE DEPARTURE

An H-1B specialty worker and H-4 dependents have permission to remain in the United States for the duration of the H-1B employment. ***Upon termination, there is an official 10-day grace period to leave the United States, and a one-time discretionary 60-day grace period to transfer or port your H-1B status to a new employer.*** If you stay longer than permitted, you may be subject to three penalties: 1) Your entry visa may be automatically canceled, if it has not already expired; 2) You may be **permanently** ineligible to apply for U.S. entry visas anywhere but at a U.S. consulate in the country of your citizenship or permanent residence, and 3) Your continued presence in the United States is **unlawful**. Anyone who remains unlawfully present for 180 days is barred from readmission to the U.S. for three years. Unlawful presence of 360 days increases the bar to ten years.