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How Long Does it Take to Get a Work Visa for the USA?

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The basics

- Preparation, patience and timing are key when determining how long it will take to obtain a work visa in the United States. Depending on the type of permit you're seeking and the amount of money you're willing to spend, it can take between a couple of weeks and approximately six months to receive the appropriate visa once you've submitted an application. But be warned: The process begins well before submission as you'll need to find an employer and leave time to fill out all the necessary paperwork. The deadline for one of the most-sought-after type of work visas -- the H-1B -- occurs at the start of April, so prepare for that nine months to a year in advance.

H-1B visa

- The H-1B visa allows certain non-immigrants to work in the United States. The advantage of this work visa is that it can have a long duration (up to six years) and over time can lead to obtaining a "green card." The hitch is you need to get a sponsoring employer and the work needs to be in a "specialty occupation," which includes medicine, law, education, biotechnology and mathematics, among other disciplines.

Securing employment is a key element and time must be budgeted for it. Some websites offer listings of companies looking for H-1B candidates. Otherwise, a candidate needs to find an employer on her own.

Once a job has been lined up, you should begin filling out the necessary paperwork about three months before the filing deadline. A minimum of six weeks should be given to get your prospective employer to fill out forms and allow your lawyer to take care of additional requirements (including obtaining labor certification).

Your application should reach the U.S. Citizenship and Immigration Services (USCIS) on April 1. After that, a few factors impact how long it takes for a response. For those seeking a speedy answer, a \$1,000 fee can be paid for "premium processing." In those cases, the applicant will receive an answer in within 15 days.

For those not paying this fee, the number of applications received by the processing center your application is directed to can impact length of time. The complexity of your case may also play a role. All told, it can take three to six months for an answer (this includes the two weeks it takes to get a receipt from the USCIS and another two weeks before you can begin checking your application's status).

H-2B visa

- The H-2B is used by more than 60,000 temporary workers who come from abroad. Other than agricultural work, this is the visa needed for seasonal work -- for example, a job at a ski resort. Again, employment is necessary before applying and applicants are recommended to apply no later than 45 days before starting their job (they are prohibited from applying more than six months in advance). That said, this process can take up to 12 weeks, so err on the side of applying early.

References

- U.S. Citizenship and Immigration Services -- H-1B visa
- Processing Times
- Example of Site for Seeking Employers