

Immigration Questions Regarding Work-From-Home Mandate

Q.1: Does my visa status allow me to work from home?

A: All international employees are permitted to work from home, but with some visa statuses there may be reporting requirements specific to your visa status:

- ***F-1 and J-1 Students***
 - Please let your DSO or ARO know that you are working from home. Your DSO/ARO will update your SEVIS record, if required, with the new worksite address.
 - You must contact your DSO/ARO and update the worksite address again, when you return to on-campus employment.
- ***F-1 OPT or STEM OPT Workers:***
 - Please let your DSO or ARO know that you are working from home. Your DSO/ARO will update your SEVIS record, if required, with the new worksite address.
 - You must contact your DSO/ARO and update the worksite address again, when you return to on-campus employment.
- ***J-1 Exchange Visitors (All Categories Except J-1 Students)***
 - J-1 employees and non-employees who are working from home. do not have to individually notify the Department of State.
 - TTUHSC sent an Incident Report to the Dept. of State notifying the agency of each phase of our work-from-home procedures. The Dept. of State is aware that our J-1 employees and non-employees are working from home and we will update each SEVIS record with this information, if required.
- ***J-2 Exchange Visitors with an Employment Authorization Document (EAD)***
 - J-2s with EAD do not have to notify the Dept. of State about changes in employment. This is because EAD is an optional benefit available to J-2s and not a requirement.

- ***Other Employees with Employment Authorization Documents (EAD)***
 - Employees with EAD approval not related to OPT or STEM OPT, can choose to work or not work, so no reporting to USCIS is required.
- ***H-1B Employees***
 - H-1B regulations allow for short-term placements outside of the worksite listed on your LCA. TTUHSC will take advantage of the 30-day short-term placement allowance, and will take advantage of the 60-day short-term placement allowance should the work-from-home mandate extend beyond April 18, 2020.
 - For those interested, the regulation is at 20 CFR § 655.735. Please note that this regulation does not require TTUHSC to pay your travel, meals room and board because each H-1B employee is working from home.

Q.2: May I still extend my visa status?

A.2: Yes. ICS is working with departments to extend visa status if employment will continue past the current expiration date.

Q.3: USCIS suspended premium processing and I need an H-1B or O-1 approval in a few months. What will happen?

A.3: ICS will continue to file all H-1B and O-1 petitions. When the premium suspension is lifted, we will request premium processing. We are not going to overly-worry about this until 60 days before the H-1B or O-1 start date because we anticipate that the suspension will be lifted in the next few weeks.

USCIS is aware that H-1B and O-1 approvals are needed for upcoming employment, especially for medical providers, so we expect the agency to provide additional information in April. We will update this answer as we received updates.

Q.4: *Should I travel outside the USA?*

A.4: No. We do not know when travel bans or shelter-in-place policies will be implemented in any country so it is best to stay where you are at this time. If you have a travel emergency, please [contact ICS](#) and report your travel on the [Institutional Health website](#) .

Also, because all US consulates have suspended regular operations and in-person appointments, you may find it impossible to get a new visa if you need one before returning to the USA. Travel abroad, or even out of Texas, is not advised at this time.

Q.5 *I'm in H-1B status working under my Conrad 30 J-1 Waiver. The program doesn't allow the physician to do telemedicine. My worksite has reduced clinical hours and I'm not doing telemedicine. Will this be a problem?*

A.5: The Conrad 30 program didn't envision the problem of a global pandemic so none of the regulations address the situation we are now experiencing. However, even though a Conrad 30 slot is not available to physicians who will only practice via telemedicine, it does not mean that telemedicine isn't permitted.

Conrad 30 physicians must physically reside in the medically underserved area and provide in-person medical services for at least 40 hours per week. As long as those two requirements are met, additional hours can be spent in telemedicine.

We are waiting for USCIS to confirm that no Conrad 30 physician will be required to extend their Conrad 30 commitment because of reduced clinical hours. We will update this answer as we receive additional information.