



International Faculty & Scholar Office

International Center, UC San Diego
Phone (858) 246-1448 Fax (858) 246-1440
ischolars@ucsd.edu <http://ischolars.ucsd.edu>

EARLY H-1B EMPLOYMENT TERMINATION: TEMPLATE MEMO FOR DEPARTMENTAL USE

If a department is terminating an H-1B employee earlier than the end date on their H-1B approval notice (Form I-797), the institution is required to establish that it has either offered and been declined, or paid for, return transportation for the H-1B employee to their home country (this obligation does not include dependents). The template below can be used to this effect. Please feel free to edit the template as the department sees fit, but make sure to retain the basic information provided. After obtaining the employee's signature, please email a copy of this document to ischolars@ucsd.edu and retain appropriate information on payment of return transportation in the employee's file. The International Faculty and Scholar Office (IFSO) will follow up with the U.S. Citizenship and Immigration Services (USCIS) to withdraw the H-1B petition in order to protect the University from further liability. Please email us at ischolars@ucsd.edu or call us at (858) 246-1448 (x61448) with any questions or concerns you may have.

[Departmental Letterhead]

Date

Dear [H-1B employee]:

Since your employment will end with UC San Diego on [insert date of termination], this will effectively end your H-1B status as of this date, as the International Faculty & Scholar Office (IFSO) must notify U.S. Citizenship and Immigration Services (USCIS) of the separation from employment and request the withdrawal of the H-1B petition on your behalf. Please note that immigration regulations do not grant H-1B employees any grace period to stay in the U.S. after separation from employment. IFSO recommends that you file a change of status application or have a new H-1B petition filed for you to "port" to a new employer prior to separation of employment with UC San Diego, or prepare to leave the country on the last day of your employment (please consider making an appointment with an Immigration Advisor in IFSO to discuss these options). If you choose not to follow these recommendations, you may be opening yourself up to accruing unlawful presence.

Per federal regulations, we are offering you return transportation to your home country. Our department is responsible for offering to you a one-way, non-refundable ticket to your home country. We are not liable, however, for return transportation for your dependents or your moving costs. Please sign below to indicate you are accepting or declining the offer.

Sincerely,



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[Departmental Representative]

H-1B employee signature (sign A or B):

- A. I accept one-way return transportation to my home country. I understand that the transportation may be the most economical possible.

Name (as it appears on your passport)

Current date

Signature

- B. I decline return transportation to my home country. I am choosing to stay in the U.S. or have my own means to return to my home country.

Name (as it appears on your passport)

Current date

Signature