

H-1B and J-1 Status Comparison Chart

| Visa Type | H-1B Employment | J-1 Scholar Exchange |
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| Purpose | Temporary Worker in a Specialty Occupation i.e. Tenure track faculty, Researcher, Programmer Analyst | Exchange Visitor-Research or Professor i.e. Non tenure track positions |
| Funding | Must come from U.S. employer | U.S. employer; Personal funds; Home or U.S. Government funds |
| Wage minimum | Yes, minimum prevailing wage that must be determined by Dept of Labor | No |
| Degree Requirement | Position requires minimum Bachelor's degree | Requirements vary per J Category |
| Maximum stay | 6 years | 5 years 6 months-Short Term Scholar |
| Can have intent to immigrate to the U.S. | Yes | No |
| Advantages | Can have intent to become a permanent resident; no 212(e); Can take the step of applying for permanent residency | DS-2019 issued by TTU; no USCIS approval needed; J-2 spouse can obtain work authorization |
| Disadvantages | Petition must be approved by USCIS; H-4 spouse cannot work; employer liable for return transportation home if position is terminated by employer | 2 year home residence requirement 212(e) if government funded or on skills list (might be able to obtain waiver of 212(e)) Can not apply to become a permanent resident |
| Required fees by department | \$460 + \$500 \$2,500 Premium processing fee | None |
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