J-1 SCHOLAR FAQs

1. How does an international researcher come to work at UAB as a postdoctoral fellow?  
   The quickest and easiest way to become a postdoctoral fellow in the US is via the J-1 Exchange Visitor Program. You can remain in the US up to 5 years while conducting research.

2. What type of visa does an international faculty member obtain?  
   Generally, international faculty can obtain either H-1B (temporary worker) or O-1 (individual of outstanding ability) status. Canadian and Mexican citizens may also obtain TN status for temporary, non-tenure-track faculty appointments.

3. Is it possible to obtain part-time H-1B employment?  
   Yes, the regulations allow for part-time H-1B petitions.

4. Can a J-1 research scholar enroll in classes at UAB?  
   Yes, but only as a part-time student.

5. Can an H-1B temporary worker enroll in classes at UAB?  
   Yes, with no restrictions. However, you must continue your employment as indicated on the employer’s petition (Form I-129).

6. What is the minimum salary for an H-1B petition?  
   Minimum salaries are determined by a prevailing wage survey from the US Department of Labor (DOL) or from a published survey source that meets DOL requirements.

7. Will UAB sponsor H-1B petitions for foreign medical residents and clinical fellows?  
   Yes, as long as you meet all of the following federal regulatory requirements:

   A. Educational Commission for Foreign Medical Graduates ECFMG (ECFMG)-certified (excluding Canadian citizens)

   B. Successfully completed steps I, II, and III of the United States Medical Licensing Exam (USMLE) or parts 1 and 2 of the Federal Licensing Examination (FLEX). A combination of the two exams is not allowed.

   C. Licensed to practice medicine at UAB

   D. Provides a copy of the foreign medical degree and English translation, if applicable

   E. Provides a copy of the foreign medical license and English translation, if applicable

8. Can a J-1 exchange visitor sponsored by UAB’s J-1 program engage in graduate medical education/training (i.e., residency or clinical fellowship)?  
   No. Only ECFMG can sponsor foreign medical graduates to pursue graduate medical education/training under a J-1 program.

9. Will I be subject to the two-year home residency requirement?  
   Only if a) the next step in your immigration plan is to apply for permanent residency or an H-1B visa AND b) you meet any of the following criteria:

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A. You are in the US for the purpose of graduate medical education/training (i.e., you are an ECFMG-sponsored medical resident or clinical fellow).
B. You received any funding from a foreign or US government.
C. Your skill is listed on the Department of State’s current Exchange Visitor Skills List: https://travel.state.gov/content/visas/en/study-exchange/exchange/exchange-visitor-skills-list.html

NOTE: If you are subject to the two-year home residency requirement, then your J-2 dependents are as well.

10. How do I obtain a waiver of the two-year home residency requirement?
Waivers are available in very few situations. Please refer to https://travel.state.gov/content/visas/en/study-exchange/student/residency-waiver/ds-3035-faqs.html for detailed information.

11. How do I obtain a US Social Security number?
If you have Department of Homeland Security (DHS) authorization to work in the US, you can obtain a Social Security number. If you are ineligible for a Social Security number and need to apply for a tax benefit, apply for a US individual taxpayer identification number (ITIN) instead.

12. Do I have to pay taxes in the US?
Possibly. Prior to receiving your first payment from UAB, you must attend a personal tax analysis appointment with ISSS to determine which taxes are required to be withheld. During the tax analysis, we will also determine if you are exempt from federal income tax withholding based on a tax treaty benefit.

13. Do I have to file a federal income tax return?
If you are classified as a “non-resident alien for tax purposes” and earn US-sourced income, you must file a federal income tax return and Form 8843 with the Internal Revenue Service (IRS). If you are in F or J status and classified as a “non-resident alien for tax purposes,” you (and your dependents) must file a Form 8843 each year even if you did not receive any US-sourced income.

14. Can I hire an outside attorney to assist me with immigration issues?
Yes, but the attorney must represent only you—not UAB. All paperwork filed with a federal agency based on an employment-based petition must be reviewed by ISSS and receive the required signatures through routing. Please contact ISSS for a copy of this procedure.

15. What happens if my child is born in the US?
Your child will be a US citizen and receive all benefits and privileges afforded to US citizens.

16. What visa should my parents obtain to visit me in the US? Do they need any documentation from me? How long can they stay?
Your parents should apply for a B-2 visitor visa to enter the US. Send them an invitation letter and an affidavit of support (Form I-134), if applicable. They can be admitted into the US for a maximum of 6 months.

17. Does the visa stamp in my passport need to be valid during my stay in the US?
No, the visa stamp in your passport is only your permission to enter the US. Your non-immigrant documents (i.e., Form I-20, DS-2019, or I-797 Approval Notice) and most recent Form I-94 are your permission to remain in the US.

18. Can I travel to Canada or Mexico to obtain a new visa?
Yes, if you have maintained your status while in the US. Citizens of countries other than Canada or Mexico must make an appointment with US consulates/embassies in Canada and Mexico. Please consult ISSS prior to traveling abroad.