The O-1 visa is a non-immigrant visa category for individuals who possess extraordinary ability or achievement in their field, whether it be the sciences, arts, education, business, or athletics. This visa allows individuals to come to the United States temporarily to work in their area of expertise.

Criteria
Georgia Tech sponsorship for O-1 status is available for the following employment categories:
- Regular Research Faculty
- Regular, Non-Tenure Track Teaching Faculty

Extraordinary ability in the fields of science, education, business, or athletics means a level of expertise indicating that the person is one of a small percentage who has risen to the very top of the field of endeavor. The applicant must provide Global HR extensive documentation to prove their extraordinary ability, such as awards, recognition, publications, memberships in prestigious organizations, and endorsements from experts in the field. For more information on the required documentation for the O-1 visa, please see the O-1 Required Materials information here.

Process
New employees must first go through the Hiring and Hosting Eligibility Determination process. More information on this process can be found in the Hiring a Foreign National Knowledge Article.

For continuing employees or employees with approved Hiring and Hosting Eligibility Determination e-forms, department HR will need to complete the Nonimmigrant Petitions for Faculty, Staff, & Researchers e-forms in iStart. The employee will also need to complete several e-forms detailing their status history and biographical information. Global HR will determine O-1 eligibility and the employee will be responsible for submitting all required evidence. Once all documentation has been submitted, Global HR will assemble the application and send the petition to USCIS.

Due to the extensive time required for the review and preparation of an O-1 petition, sponsorship is limited to cases in which no other normally utilized nonimmigrant or immigrant visa would meet the department's needs. Departments that are considering O-1 status for a current or potential GT employee should discuss the case with Global HR staff at least four to six months in advance of the anticipated start date.
0-1: Individuals with Extraordinary Ability

Maintaining Status/Employer Compliance

Changes in Employment
All changes in employment for an O-1 employee must be reported to Global HR before the change occurs. This includes transferring of departments, change in work hours, changes in work objectives or titles, changes in salary, or termination of employment. The employing department should complete the Notification of Changes in Employment e-form in iStart. If further action is necessary, the department will be notified.

Employment Transfers
O-1 visa holders can change employers, but there are certain steps and considerations to keep in mind. Georgia Tech will first need to file a new O-1 visa petition with the U.S. Citizenship and Immigration Services (USCIS). O-1 visa holders cannot begin working for Georgia Tech until the application has been approved by USCIS.

Length of Stay & Extension of Status
The O-1 visa can be granted initially for up to three years and can be extended in one-year increments as long as the individual maintains their eligibility and can provide evidence of continued extraordinary ability. O-1 extensions may be granted for three years if the position entails a "new event."

Employees in O-1 status that need to remain employed by the Georgia Tech beyond the initial period of stay may seek an extension of stay in one-year increments. Each extension, however, is evaluated on its own merit and the employee must prove their extraordinary ability with each extension. The employing department must initiate the request for filing an extension in iStart via the Nonimmigrant Petitions for Faculty, Staff, and Researchers e-form. The employee is also responsible for gathering all supporting evidence, including any new evidence, and submitting it to Global HR.

Travel
When travelling in O-1 status, Global HR recommend the following documents:

- **Valid Passport:**
  Ensure that your passport is valid for at least six months beyond your intended date of return to the United States.

- **Valid O-1 Visa Stamp:**
  Check the expiration date on your O-1 visa stamp in your passport. You need a valid visa stamp to re-enter the U.S. after international travel. If you do not have a valid O-1 visa in your
passport, you will need to apply for it at a US embassy or consulate. You can find more information on visa wait times and how to schedule an appointment here: travel.state.gov/content/travel/en/us-visas/visa-information-resources/wait-times.html

- Form I-797 Approval Notice:
  Carry a copy of your most recent Form I-797, Notice of Action, which is the approval notice for your O-1 petition. This document confirms your O-1 status and employment authorization. If you have not already, you can pick up your notice at GTHR (no appointment required). See here for address and hours: hr.gatech.edu/#contact-us

- Employer’s Letter/Offer Letter:
  Carry a letter from your department detailing your employment, including your job title, salary, and the purpose of your trip. This letter can serve as additional documentation when entering the U.S. Alternatively, you can bring your offer letter.

- Proof of Continuing Employment:
  Documents that demonstrate your ongoing employment, such as recent pay stubs for the last 3 months.

We also recommend that you check your I-94 after your arrival back to the US to verify your authorized period of stay in the US. You can upload any new immigration documents in iStart via the Immigration Document Update.

Other Information

Dependents
Spouses and unmarried children (under the age of 21) are permitted to have O-3 status for the duration of the primary status holder. Individuals in O-3 status are not permitted to engage in employment. Individuals may engage in full- or part-time study.

O-1 dependents must complete Form I-539, extend or change their status to O-3. The form can be found on www.uscis.gov. Please read the instructions and the form carefully. Global HR will include the I-539 with the O-1 petition (as a courtesy) or the dependent may file on their own once the receipt notice has been received. If the employee would like the I-539 submitted concurrently with the I-129, supporting documentation and filing fees must be timely submitted to Global HR.
For O-3 dependents outside the US, after USCIS approves the Petition for a Nonimmigrant Worker (Form I-129), dependent(s) may apply for an O-3 visa. There are several steps in the visa application process. The order of these steps and how your dependent(s) complete them may vary at the U.S. Embassy or Consulate where your dependent(s) apply. Please consult the instructions available on the embassy or consulate website where your dependent(s) will apply.

Please note that Global HR is not able to advise on matters related to O-3 dependents. If there are any questions about applying for or maintaining O-3 status, a qualified immigration attorney should be consulted.