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Leave Without Pay for H-1B / Status

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Submitted by Chief Editor on Apr 5th 2018

ANSWER:

Watch the Video on this FAQ: Leave without pay for H-1B / Status ^[2]

Video Transcript

If you look at the Department of Labor regulations they allow employees for their convenience to take leave for things like tourism. So if you say you want to take 20 days off you could do that without losing your status, but if it is being used by the employer to bench you and then you can be in trouble. If it is a medical leave of absence, then as long as you have a medical certificate and necessity and your leave is coextensive with the existence of that necessity I think that's ok as well. Hence couple of months are acceptable if the reasons are honest and not a pretext or an excuse to be off a project and be benched. More... ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

H-1 Visa ^[3]

General Nonimmigrant Visa ^[4]

H-1 Visa ^[3]

General Nonimmigrant Visa ^[4]

FAQ Transcript:

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Unless the context shows otherwise, all answers here were provided by Rajiv [5] and were compiled and reported by our editorial team from comments and blog on immigration.com [6]

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Links:

[1] <https://immigration.com/faq/leave-without-pay-h-1b-status>

[2] <https://youtu.be/kEkanqTJw4?t=2025>

[3] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>

[4] <https://immigration.com/visa/nonimmigrant-visas/general-nonimmigrant-visa>

[5] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[6] <http://www.immigration.com>

[7] <https://immigration.com/JavaScript%3Avoid%280%29%3B>