



Immigration HANDBOOK - NA



Cognizant Technology Solutions - NA

Glossary

Visa Stamp: A stamp placed in an associate's passport by a U.S. Consulate/ Embassy. It is a travel document for admission into the U.S.

H-1B Visa: A visa category for professional specialty occupations. Associates must have a U.S. Bachelor's degree or foreign equivalent in a field of study that is directly related to their on-site/ U.S. deployment.

L-1 Visa: A visa category that enables the transfer of associates to the U.S. requiring either specialized knowledge specific to Cognizant, or managerial duties in the U.S.

- **Blanket:** Associates apply directly at the U.S. Consulate/ Embassy for visa stamping (i.e., an associate's name will not be on the approval notice).
- **Individual:** The U.S. Citizenship and Immigration Services (CIS) must approve Cognizant's petition on behalf an associate (i.e., an associate's name will be on the approval notice) before visa stamping.

I-94 Arrival/Departure Record: This document is proof of lawful inspection at a port-of-entry and of admission into the U.S. An I-94 document sets forth the name and the identification details of the person admitted, visa class and duration of authorized U.S. stay. Associates must not remain in the U.S. past the expiration of Form I-94. Associates are required to update their I-94 details in the "My I-94" app at OneCognizant.

- Associates who entered the U.S. prior to March 2013 may have a paper I-94. Upon departing the U.S., associates should surrender this paper I-94.
- Associates who entered the U.S. after March 2013 should have an electronic I-94. To view and/or print a copy, please visit www.cbp.gov/I94.

I-797A, Approval Notice: A document issued by the CIS approving Cognizant's H-1B or L-1 petition on behalf of an associate permitting extension of stay or change of status in the U.S.

I-797B, Approval Notice: A document issued by the CIS approving Cognizant's H-1B or L-1 petition on behalf of an associate. An associate must apply for a visa stamp at a U.S. Consulate/ Embassy before traveling and/ or working in the U.S.

Petition Expiration Date (PED): A PED is printed at the bottom of all nonimmigrant visa stamps.

L-1 visas: An extension or a new L Blanket interview must take place seven (7) months prior to the PED, or the I-94 expiry date, whichever expires first.

Labor Condition Application (LCA): A certification issued by the U.S. Department of Labor to support every work location (including all work locations within 50-miles of the LCA location)

to support a U.S. stay in H-B or E-3 visa status. An LCA specifies a **city and state** that must be within a 50-mile radius of an associate's worksite. Associates with more than one worksite will require more than one LCA if the two worksites are located more than 50 miles apart.

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A. Key Contacts

Global Mobility (GM)

| TYPE | Point of Contact (POC) |
|-------------------------|--|
| About Global Mobility | https://onecognizant.cognizant.com/ Please search for “About Global Mobility” in the Apps Store |
| My Visa | https://MyVisa.cognizant.com/ |
| All Immigration queries | Please visit http://git.cognizant.com/General/QTGI-GMSERVDK.pdf for appropriate venues to raise the associate’s particular Immigration questions. |
| My I-94 | https://onecognizant.cognizant.com/ Please search My I-94 in the App Store |

Global Mobility - Compliance

| TYPE | Point of Contact (POC) |
|-------------------------------|--|
| DHS Site Inspections | LCA.immigration@cognizant.com |
| LCA Questions | LCA.immigration@cognizant.com |
| Semi-Annual Notice to Clients | LCA.immigration@cognizant.com |
| BV Questions | BusinessVisa@cognizant.com |
| I-9 Questions | I9submissions@cognizant.com |

B. H-1B/L-1 Extensions

Steps for Initiating H-1B Extensions

For associates (and/or dependents) whose I-94 or I797 is expiring **after June 30, 2016** (whichever is earlier), please [click here](#) to raise your H-1B (and/or H4) extension case requests. You can also log into One Cognizant and search for the “Visa Request App”.

If your (and/or your dependent/s’) I-94 or I797 expires on or **before June 30, 2016** (whichever is earlier), please raise the request in [MyVisa](#).

The Visa Request Application for H Extension enables:

- Simple and Easy Navigation
- Real Time Status Tracking
- Auto-retrieval of details

Please click [here](#) to watch a video that explains the navigation through this app.

For any technical concerns, please write to VisaRequestAppSupport@cognizant.com.

For H1B/H4 Extension process related queries, you may refer to the FAQ document by clicking [here](#) or raise a GSD under **Global Mobility->Immigration->H1B/H4 Extension Category**.

Note:

1. If you have already initiated a case in Myvisa, there is no need to initiate case in the new application. The team will assist based on the MyVisa case
2. Extension cases can be initiated only 6 months prior to your I94 expiry date

Steps for Initiating L-1 Extensions

1. Every associate who is currently in the U.S. in L-1 status should initiate an extension 7 months in advance of the I-94 or PED expiration date, whichever is earlier. L-2 should be initiated for dependents together with the L-1 extension.
2. Associates must initiate extension in MyVisa at <https://MyVisa.cognizant.com>. The initiation process is a multi-step process. For technical assistance with MyVisa, please visit <http://git.cognizant.com/General/QTGI-GMSERVDK.pdf>.
3. After logging into MyVisa, instructions must be followed for updating the visa and travel details section, before the initiation process can begin. When the initiation process is completed, Global Mobility will prepare and file the petition with CIS.
4. Associate/dependents must be physically present in the U.S. when an L-1/L-2 extension is filed with CIS.

5. If an associate is present in the U.S., but his/her spouse is out of the U.S., the L-1 extension can be filed, but not the L-2 extension. After CIS approves an L-1 extension, the spouse may use associate's L-1 approval notice to apply for an L-2 visa stamp in India.
6. After filing an L-1/ L-2 extension, CIS takes at least 3 weeks to issue a receipt notice. Once CIS issues a receipt notice, an associate may check on the case status by using the receipt number at: www.uscis.gov.
7. An L-1 extension may be filed with a request for Premium Processing Service ("PPS"), a notice will be issued by CIS in 15 calendar days (i.e., approval, Request for Evidence, or denial) within a 15 business day period for an additional \$1,225 fee payment. GM will file petitions premium processing on a limited basis that meets with internal criteria. Once an associate raises an extension in MyVisa, instructions will be triggered and sent to the associate via e-mail on how to obtain the approvals necessary to file the petition premium processing. Because the Business Unit will be charged for all premium processing fees, an associate must receive an approval for premium process from a Director level or above manager within the account in order to move forward.
8. Once CIS approves an L-1/ L-2 extension, CIS will issue a new L-1/ L-2 approval notice. The **I-797A** is an approval notice with the I-94 attached. An **I-1797B** is an approval notice without an I-94 attached. If an associate receives an I-797B, this means that the petition itself is approved, but the change of status/or extension of stay has not been approved. The associate will need to undergo visa stamping at the U.S. Consulate, and then re-enter the U.S. to gain L status. An associate can remain in the U.S. until the date written on the most recent I-94 card. The date on the I-94 card determines the expiration of stay in the U.S.
9. For visa stamping appointments, please visit <http://git.cognizant.com/General/QTGL-GMSERVVDK.pdf>.
10. Associates on a L Blanket should read the following:
Blanket associate with expired PED

If you are on a L-1 Blanket, we must file an extension of your L-1 prior to either your I-94 or petition expiry date (PED) listed on your current L Blanket visa stamp. Since your current PED has already expired and we can only legally file L extensions 6 months prior to I-94 expiry date, we would advise for you to depart the US and undergo L Blanket processing again at your earliest convenience.

- To undergo L Blanket processing in Canada, please raise a case request in MyVisa for a L Blanket stamping in Canada for US associates.
- To undergo L Blanket processing in your home country, please have your offshore Operations Lead nominate you in the L-1 Visa App from OneCognizant. We request you to kindly refer to the process page for details pertaining to the eligibility; process and timelines hosted @ <http://git.cognizant.com/US/QPGI-USL1PROC.pdf>

Blanket associate with valid yet upcoming expiring PED

If you are on a L-1 Blanket, we must file an extension of your L-1 prior to either your I-94 or petition expiry date (PED) listed on your current L Blanket visa stamp. If your PED is expiring prior to your I-94 and we must file an extension, please update your I-94

C. FAQ for H-1B/H-4 and L-1/L2 Extensions

1. When can an associate initiate H-1B/L-1 extension?

Every associate who is currently in the U.S. in H-1B/L-1 status can initiate an extension 7 months in advance of his/her I-94 expiration date. H-4/L-2 extension can also be initiated for dependents along with the H-1B/ L-1 extension. **Please note that each H-4/L-2 dependent will need his/her own extension petition in MyVisa/Visa Request App.**

2. How do associates initiate H-1B/L-1 extension and dependents' H-4/L-2 extension?

Please see the above for instructions on initiating the H or L extension petitions. **Please note that each H-4/L-2 dependent will need his/her own extension petition.** For technical assistance with the process, please contact GSD.

3. Do associates need to be in the U.S. when the H-1B/L-1 and/or H-4/L-2 extension is filed?

Yes, associate/dependents must be physically present in the U.S. when an H-1B/H-4 OR L-1/L-2 extension is filed with the CIS.

4. What if an associate's spouse is not in the U.S.?

An H-1B/H-4 OR L-1/L-2 extension cannot be filed if an associate/dependent is out of the U.S. If an associate is present in the U.S., but his/her spouse is out of the U.S., the H-1B/L-1 extension can be filed, but not the H-4/L-2 extension. After the H-1B/L-1 petition is approved, the spouse can use the associate's H-1B/L-1 approval notice to apply for an H-4/L-2 visa stamp at a U.S. consulate in India.

5. When do associates receive a receipt notice from CIS?

After filing an H-1B/H-4 OR L-1/L-2 extension, it takes CIS approximately 3 weeks to issue a receipt notice with a receipt number. Once CIS issues a receipt notice, an Associate may check on case status by using the receipt number posted in their petition MyVisa from the Receipt Notice link in the left menu. Click "Check Status" and the associate will automatically be routed to his/ her case status screen in www.uscis.gov. **The associate may also view and print a copy of their receipt notice from MyVisa in the Digital Docs section.**

6. Can associates stay in the U.S. after the H-1B/L-1 extension is filed?

An H-1B/L-1 beneficiary does not need the receipt notice before the I-94 expires. The main concern is **filing** the H-1B/H-4 OR L-1/L-2 extension with CIS **before** the I-94 expires. Once the extensions are filed with CIS, the H-1B or L-1 beneficiary and his/her dependents, are authorized to remain in valid status until CIS approves the extensions. It is the I-94 that governs one's nonimmigrant status in the U.S., not the visa stamp.

7. Can an H-1B/L-1 extension be expedited?

An H-1B/L-1 extension may be filed with a request for Premium Processing Service ("PPS"), under which CIS agrees to process an H-1B/L-1 extension petition (i.e., approval, RFE, or denial) within a

15-business-day period for an additional \$1,225 fee payment, for which the Business Unit will be charged. To review, GM will process an H/L Extension through PPS if the associate fall under one of the following circumstances:

- Driver's license expiration, provided that the associate proves the date of expiration by providing to Global Mobility a soft copy of the driver's license.
- **International Business** travel – **NOT** vacation travel! –after I-94 expiration and before expected date of CIS approval.
- Personal travel that entails the associate's own wedding (not a relative's wedding) or family emergency such as a close relative's severe illness.

8. Do associates who recently joined Cognizant from another employer and have their H-1B transfer petition is pending with CIS need to extend their old I-94?

No, when GM filed the associate's H-1B transfer petition, GM also requested extension of the associate's H-1B status. Therefore, another extension is not needed.

9. Do H-4 dependents of transfers need to do anything?

The associate must send his/ her dependents' documents to GM prior to the expiration of the H-4 documents so that an H-4 extension application can be filed with the CIS.

10. How can associates who recently joined Cognizant access the status/ receipt number of the H-1B transfer petition that is pending at CIS?

Please check the status of the petition(s) in MyVisa. The associate will be able to click "Check Status" from Receipt Numbers.

11. When will an associate receive the extended I-94 card?

When CIS approves an H-1B/H-4 OR L-1/L2 extension petition, CIS will issue a new H-1B/H-4 OR L-1/L2 approval notice (also known as a Form I-797) with a new I-94 card attached to the bottom of that approval notice. The new I-94 card is evidence that one's H-1B/H-4 OR L-1/L2 status has been extended. **This is not the visa or visa stamp.** The visa stamp is different and must be obtained at a U.S. consulate outside of the US using the new I-797 approval notice.

12. Who should an associate contact for visa stamping appointments?

For visa stamping appointments, please visit OneCognizant and search for the "Visa Stamping" app for India based visa stamping. Requests for H/L visa stamping can be made from this app directly. The associate must obtain and keep a Cognizant visa stamp while the associate are employed with Cognizant and travelling outside the US. If the associate has any dependents, they must also obtain and keep a Cognizant visa stamp while travelling outside the U.S.

For visa stamping instructions in other locations, please raise a GSD ticket to obtain the updated instructions for that country.

13. Can associates travel to Canada or Mexico for visa stamping?

Yes, the associate can travel to Canada. Please visit <http://git.cognizant.com/General/QTGL-GMSERVDK.pdf> for further instructions. Cognizant does not send associates to Mexico for visa stamping purposes due to exigent circumstances.

14. If an associate has an EAD (Employment Authorization Document) and AP (Advance Parole), is (are) the H-1B/H4 OR L-1/L2 extensions still required?

Yes, as per Cognizant's policy, the associate must continue to remain in valid H-1B/L- status and his/ her dependents must continue to remain in valid H4/L2 status, even if the associate has an EAD/AP based on the associate's I-485 application pending with CIS. Having a CIS-pending I-485 application is not a status. Please see below for more information on AP and maintaining non-immigrant status.

15. If an associate has a valid nonimmigrant H/L visa status and re-enters the U.S. on Advance Parole, how can the associate re-gain valid H/L status (i.e., an I-94 card showing H/L entry) if the Form I-797 approval notice has expired?

To return to valid H/L status, the associate will need to initiate an H/L case in MyVisa and undergo visa stamping to re-enter the U.S. using an H/L visa stamp.

16. If an associate has a valid nonimmigrant H/L visa status and re-enters the U.S. on Advance Parole, how can the associate re-gain valid H/L status (i.e., an I-94 card showing H/L entry) if the Form I-797 approval notice remains valid?

To regain H/L status (i.e., an I-94 card), the associate will need to initiate an H/L extension in MyVisa seven months prior to the I-797/PED expiry date. All subsequent U.S. entries should be under a valid H/L visa stamp.

17. If the last entry into the US was based on advance parole, will an associate need to maintain a valid EAD until the associate's H/L status is reactivated?

Provided that the associate has previously held an I-94 under that valid CIS Form I-797 approval notice or PED for H/L visa class, the associate remains work authorized after an advance parole entry under that valid Form I-797 approval notice. If subsequent to advance parole entry, the associate's Form I-797 approval notice/PED expires, the associate may remain work authorized under a valid EAD.

18. When an associate checks his/ her case online at www.uscis.gov and finds that an RFE was received, but has not received any communication from GM, what action should an associate take?

As soon as GM receives the RFE, the associate will be contacted. Please note that the notice may take 7 to 10 business days from the date of the status change on the USCIS website to get to our offices and updated in MyVisa. GM will request information and documents needed to respond to the RFE. As soon as GM receives the completed documentation from the associate, GM will respond to the RFE in first in, first out order.

19. Can a L2 or H4 visa holder work in the U.S. with an EAD?

Yes, a L2 or H4 visa holder can work in the U.S. after obtaining an EAD. While all L2 visa holders are eligible for the EAD, only certain H4 visa holders may be eligible for the EAD after the H-1B spouse meets certain criteria. For more detailed information, please see https://ecm.cognizant.com/cs/groups/confidential_cts_internal/@imn_g/documents/imn_docs/xze3/nzk4/~edisp/ctsecmin_17798383.pdf

D. H-1B Amendment

The United States Citizenship and Immigration Services (USCIS) requires all employers to file an ‘**amended**’ petition before an H-1B employee moves to a new work location that was not specified in the initial petition and is beyond reasonable commuting distance of the location indicated in the initial H-petition.

Who is impacted?

- This applies to all H-1B associates, onsite and offshore.

When can an H-1B associate begin working in the new work location?

- **Associates already in the US (Domestic Relocation):**
 - Associates in the US may begin working in the new location after the amended H-petition is **mailed out**. The approval and receipt notice is not required.

Associates already in the US who are traveling internationally for personal or business purposes:

- Associates traveling internationally who do not have a valid H-1B visa stamp and whose work location has changed, may undergo visa stamping using the last approved H-1B I-797A/B in addition with the current H-1B **amendment receipt notice**. Associates traveling internationally who have a valid H-1B visa stamp may travel to the new work location after the amended H-petition is **mailed out**.
- **US lateral hires:** Candidates yet to join Cognizant and whose work location has changed since the filing of the H-1B transfer petition, cannot join until the amended petition is **mailed out**. This may cause potential delays in onboarding.
- **Associates transferring from offshore to US:**
 - Associates who are offshore and who do not have a valid H-1B visa and whose work location has changed, may undergo visa stamping using the last approved H-1B I-797A/B in addition with the current H-1B **amendment receipt notice**. Associates who are offshore and have a valid H-1B visa stamp may travel to the new work location after the amended H-petition is **mailed out**.

ADDITIONAL PLANNING: What type of planning do we need?

- Since amended petitions must be filed, Global Mobility must be informed of **all** work location changes of H-1B associates to prepare the documentation for the filing.

- All project teams should update the proposed location change in ESA at least 2 weeks prior to the worksite change (preferably 1 month).
- All H-1B associates must **initiate and submit** a “Relocation Amendment” case in MyVisa at least 2 weeks in advance.
- Associates cannot begin working in the new location until Global Mobility confirms that the H-amendment requirement has been met.
- Business teams should be prepared to share client contracts and manager letters to support the amended petition and avoid delays.
- There is an expedited government processing fee of \$1225 for urgent cases where visa stamping is required at the BU’s request if absolutely required. This cost is charged back to the BU.

What is the impact if employers do not comply?

- The originally approved H-petition could be subsequently revoked.
- The associate could lose H-1B visa status and face US departure.
- Consistent failure to file amendments can jeopardize the employer’s ability to participate in the H-1B program.
- Potential increase in client site visits by government agents

Frequently asked questions:

Please click [here](#) to refer to the FAQ document in process space link for more information.

E. L Blanket Process in Canada

Prior to initiating the process:

1. Ensure the associate has a **valid I-94 for at least 8-12 weeks** before initiating the stamping process for Canada.
2. Cognizant will pay for the filing fees at the Consulate. The associate or business unit will have to bear the cost of travel, accommodations, and Canada tourist visa. GM will not be responsible for reimbursing the travel and accommodation cost for Canada if there is a cancellation or change of the appointment date at the US consulate in Canada.
3. Associates will be required to stay in Canada for 3-5 days for the stamping process to be completed. Please note that there is a minimal risk of being required to stay for an additional 2-4 weeks in the event of a 221g or administrative processing.
4. If possible, we recommend that dependents travel with associates and obtain U.S. visa stamping in Canada. In doing so, the associate and dependent(s) I-94s will have the same validity. If dependent(s) do not process visa stamping in Canada with the associate, the associate must be sure that the L2 extension/conversion is raised as soon as the associate returns to the U.S., or 7 months prior to the dependent(s) I-94 expiry date. If an associate’s

dependent is on a H4 visa, the conversion to L2 should be filed the day the associate the associate returns from Canada.

5. While in Canada on a visitor visa, the associate cannot work or support any billable activity.
6. At this time, we have a very high approval rate in Canada; however, if an associate's application is denied in Canada, the associate may not have the option to re-enter the U.S. The associate will have to travel to his/ her home country from Canada. Please note that this possibility always exists, but we have generally experienced positive results in Canada.

Instructions on raising a Canada L Blanket case in MyVisa

To proceed with the L-1 Blanket application, create an L-1 Blanket stamping case from Canada in <https://MyVisa.cognizant.com>. Global Mobility will assess and create either an L-1B Blanket or L-1A Blanket case. At this time it is not necessary to create a separate case for dependents.

1. Initiate a Visa / Case Request
2. Destination Country - United States
3. Visa/ Case request template Group - New Work Permit/ Stamping
4. Visa/Case Request Template – “L1 Blanket stamping in Canada for US Associates”

After initiating the process (Stages of the Process):

1. Associates need to upload documents requested in the starter kit email. This includes instructions on how to fill the DS-160 and supporting documents for stamping.
2. GM will review the DS-160, and once the DS-160 is approved, the appropriate team member will email the associate with instructions as to when to submit DS-160 application forms.
3. GM will then send the associate information on how to book an appointment at the US consulate in Canada. Please book an appointment at least 8-12 weeks in advance even if a date is available earlier to account for the time it will take to obtain a Canada tourist visa.
4. The associate will need to book the stamping appointment and upload appointment confirmation page in MyVisa. Kindly do not make any changes to the appointment after it is booked and accepted by GM without consulting with the Canada L Blanket team and getting the approval to proceed. Any changes to the appointment date will affect the processing of the associate's application and may result in erroneous or delayed documentation.
5. GM will update the appointment date in MyVisa.
6. GM will send the associate instructions on how to obtain the Canada tourist visa. This activity should be initiated **AS SOON AS** the associate's stamping date is confirmed, **AND** the associate has uploaded the associate's Appointment Confirmation page into MyVisa. It is **NOT** recommended that the associate process the Canada tourist visa prior to obtaining a confirmed stamping date as this may result in the tourist visa denial.
7. GM will prepare the U.S. support letter and upload into MyVisa.

8. The list of the documents which the associate will need to take to the consulate will be available in the Process Space. This link will be sent to the associate via their Cognizant email. All required documents can be downloaded from MyVisa or are already in the associate's possession.
9. The complete package which the associate will need to take to the Consulate will be sent to the associate approximately 1 week prior to the associate's appointment date.

****IMPORTANT****

Most Canadian consulates have recently closed their visa sections, which has severely impacted visa processing. At this time, consulates are not accepting in-person applications. All applications must be processed through the mail.

The processing time for a Canada tourist visa may be anywhere between 4-12 weeks. Therefore, associates should apply for the Canada tourist visa as soon as the associate receives the email from GM. If the associate does not obtain the Canada tourist visa in time for the associate's appointment then the case has to be cancelled or rescheduled.

After stamping is completed:

1. The associate's stamped passport and a sealed envelope with Form I-129S will be sent by the Consulate to the DHL depot in 2-3 days. The associate will need to bring a waybill number (provided) and photo ID and collect it in person.
2. Once the associate receive the sealed envelope from DHL, please **OPEN AND VERIFY** if the I-129S form is stamped.
3. Associates must make a copy of the stamped I-129S form prior to re-entering the U.S. Place the two original I-129S forms back in the envelope.
4. Associates must present the envelope to the U.S. Customs and Border Protection (CBP) Agent at the port of entry. The officer should give one of the original stamped I-129S Forms to the associate. The CBP Agent will keep the other to maintain for the CIS database. If the CBP Agent does not return one original I-129S Form, the associate will **ONLY** have the copy which the associate made earlier.
5. The electronic I-94 which will be issued should have the same date as the PED on the visa stamp. If the associate enters the U.S. by land (car or bus), the associate will need to pay a fee of \$6 per I-94 for a paper I-94 (i.e., electronic I-94 are not issued at land entries).

IMPORTANT: Associates are limited to a 5 year maximum period of stay in L-1B status, and a 7 year maximum period of stay for L-1A status. If the Form I-94 exceeds the associate's 5 year L-1B or 7 year L-1A maximum period of stay, that equates to government error, and the associate is not permitted to exceed his/ her maximum period of stay. Please contact GM if there are any discrepancies or questions.

F. Labor Condition Application (LCA)

1. What is a “LCA”?

U.S. employers are required to obtain U.S. Department of Labor (“DOL”) a certified LCA (Form ETA 9035E) for H-1B and E-3 filings covering all worksite locations. In other words, an LCA is allocated to each and every associate for all H-1B and E-3 filings.

2. Do all associates need an LCA, and when does an associate need a new LCA?

Associates with H-1B or E-3 status will have an LCA as part of the petition documents. Associates who hold H-1B or E-3 status may have one or more LCAs because an LCA must be assigned to associates to encompass all worksite locations (i.e., the city, state is within a 50 mile radius of each worksite location, whether that is a home office, Cognizant office and/ or client facility).

Associates with H-1B or E-3 status and/ or H-1B approval notices should contact GM to determine whether a new LCA is required when:

- Applying for an H-1B or E-3 visa stamp from a U.S. Consulate/ Embassy;
- Traveling to the U.S.; and
- Changing to a new and/ or additional worksite in the U.S.

3. Why isn’t the name of an associate mentioned on an LCA?

LCAs are certified by DOL for a specific occupation, worksite location, and wage rather than a specific associate. Cognizant’s LCAs are valid for up to 30 associates in the same occupation/ designation/geographical area. GM /Immigration Compliance tracks LCA usage.

4. If an associate has been promoted, will GM issue a new/updated LCA for the promoted designation?

DOL and CIS guidance specify that a new LCA is not required based on a promotion alone, therefore, associates will not receive a new/ updated LCA based on promotion alone. In the event of a change to a new worksite that is more than 50 miles away from city, state for the currently assigned LCA, an H Amendment is filed to reflect a new worksite location. If an associate’s designation has changed (either promotion or demotion), it will not reflect in the amendment petition. A promotion is not a “material change” as per USCIS guidance, thus, an H amendment is not required for a promotion or demotion. At time of H-1B extension, job duties in combination with career advancement/ promotions / demotions will be assessed by Global Mobility to determine whether there is an impact resulting in a different LCA.

5. Is it possible for an “LCA wage rate/ required wage” to be less than an associate’s annual Base + COLA salary?

An “LCA wage rate” is the minimum that Cognizant must pay an associate in that designation, at that worksite, as specified by DOL. Accordingly, Cognizant ensures that associates who hold H-1B and E-3 status are paid actual salaries that either meet or exceed the LCA required wage rate, either based on Base + COLA, or another combination of guaranteed period payments.

6. Is it possible for an LCA required wage to be higher than an associate’s offered compensation?

Associates who hold H-1B or E-3 are paid at minimum the LCA wage rate by Cognizant, regardless of what is specified in an offer letter or in HCM. Cognizant guarantees periodic payments to ensure

that associates who hold H-1B or E-3 status are paid at least the LCA prevailing wage. Such guaranteed periodic payments are on a quarterly basis pro-rated for the duration of the triggering event (e.g., Conversion to H-1B status, relocation into or within U.S. or assignment of a new LCA on account of H extension or LCA end-date). The periodic payments occur on or about Apr 15 (Q1), Jul 15 (Q2), Oct 15 (Q3) and Dec 31 (Q4) pay cycles.

7. Does the City, State mentioned on an LCA issued to an associate need to match the associate's actual worksite address?

The location mentioned on an LCA permits an associate to work:

- In the city, state mentioned on the LCA; and
- Any worksite (street, city, state) that is located within 50 miles of the LCA city, state location.

If the distance between the LCA city, state and an associate's actual worksite is less than 50 miles, the LCA is applicable to the associate's worksite. The LCAs are created for pre-mapped locations based on commuting distances.

8. Why is the "Begin Date" / "End Date" mentioned on an LCA not corresponding to an associate's Cognizant hire date?

The LCA "Begin Date" refers to the date that Cognizant filed the LCA with DOL. Each LCA can be valid for a maximum period of three years, i.e., the LCA "End Date". The LCA "Begin Date" may not coincide to a particular associate's Cognizant start-date or visa start-date. The LCA assigned to the associate is correct if the associate's duration of stay at the worksite is covered within the validity period of the LCA.

9. Why isn't the "Job Title" mentioned on an LCA identical to an associate's Cognizant designation?

An LCA is specific to an occupational classification, such as Computer Systems Analyst, where the predominate work activities involve the development and/ or design of computer systems, and encompasses many different job titles (i.e., Technical Analyst, Business Analyst, Architect, Manager, among others). Therefore, the job title does not need to match an associate's Cognizant designation. A position may have differing Cognizant designations and DOL job titles.

10. Does associate need to do anything with the LCA allocated/ given to him/ her?

Associates should print a copy of the LCA and retain it along with his/ her immigration papers. It would be prudent for associates to carry the LCA copy when going for visa stamping, and when applying for re-admission to the U.S. Associates should not present the LCA to any U.S. government official unless specifically asked to do so. Certainly, if an associate has any questions, please reach-out to lca.immigration@cognizant.com

G. DHS Site Visits

- The U.S. Department of Homeland Security (DHS) routinely conducts unannounced, random site visits to validate that:

- The work and employment activities of the associate as compared to the petition documents; and
- That the conditions of employment meet the H-1B or L-1 visa class requirements.
- During a site visit, DHS FDNS officers:
 - Ask to speak with the H-1B or L-1 associate(s), their Cognizant manager(s), the person that signed the petition, and/or a client representative, and
 - May take some photos of the worksite's reception area and the associate's actual work space (e.g. desk, cubicle).
- If the associate receive a DHS site visit, please immediately reach out to lca.immigration@cognizant.com

H. Scams (Calls/ Emails)

Beware of Scammers who call or email:

- Stating problems with your records.
- Demand money for correcting false problems.
- Threaten arrest or deportation.
- Tell an associate the call is being recorded and monitored by higher officials.
- Tell an associate not to talk to anyone else or use the internet.

A VALID U.S. Government inquiry call or email:

- Never asks for or requires money payments.
- Asks job related questions only.
- Does not threaten governmental penalties like arrest or deportation.

If an associate receive a scam call:

- HANG UP! There will be no adverse effects if the associate hangs up.
- Report the scam email or call to:
 - Cognizant Emergency Helpline at 1-844-822-2024; Option 5.
 - Local Police.
 - Federal Trade Commission (FTC).

Read:

- USCIS Scam Homepage.
- FTC Information about Telephone Scams.

I. Green Card (GC) – U.S. lawful permanent residence

1. What is a “green card”?

A “green card” (“GC”) is not U.S. citizenship. Rather, a GC allows residence in the U.S. on a permanent basis. That is, an associate retains his/her citizenship(s), and is also authorized to reside permanently in the U.S. and to work in the U.S. without the need to obtain a visa or other authorization. GC holders are also known as “permanent resident aliens” and “resident alien permit holder.”

Federal law does not require any U.S. employer to sponsor any individual for GC. GCs are a privilege - not an entitlement - that the U.S. government - in its discretion - accords to legally qualified individuals.

As the I-140 is an employer petition, it is Cognizant policy to withdraw the I-140 from USCIS within approx. 60 days of termination of employment with Cognizant.”

2. What are the company’s goals for the GC program?

- Maximize PERM approval chances while minimizing the possibility of U.S. Department of Labor (“DOL”) audits and denials;
- Obtain PERM approvals that can be easily used to obtain Form I-140 approvals from U.S. Citizenship and Immigration Services (“CIS”) in the appropriate classification, i.e., EB-2 or EB-3; and
- Maximize the number of associates who qualify for EB-2 classification, provided that this goal does not conflict with the goals listed above.
- Under Cognizant’s GC policy, associates working in corporate functions are not sponsored for permanent residency through PERM

3. What are Cognizant’s eligibility criteria for an associate to apply for a GC?

- Under Cognizant’s current policy, an associate is eligible to request the GC process in our internal systems:
 - After completing at least 6 months on US payroll for managers and above.
 - After completing at least 12 months on US payroll for those below the manager level.
- There are certain exceptions to the wait period for initiating a GC request in our internal systems. An exception can be made once an applicant is within **18 months** of reaching his/her 6 year H-1B max out date.
- The timelines above are for initiating a request for a GC process only. Please note that actual filing dates for GC applications cannot be guaranteed as this is determined by various factors, some outside of Cognizant’s control.
- Cognizant reserves the right to revise this policy at any time without prior notice.
- If the associate has satisfied this seniority requirement and wishes to start the GC process with Cognizant, please follow the instructions below.

4. **Once a GC request has been submitted, when will GM move forward with processing an associate's GC application?**
- GM will process an associate's GC application only after the associate has provided the following:
 - Please [click here](#) to raise your GC case requests. You can also log into One Cognizant and search for the "Visa Request App".
 - GM will send communications only to associates' **Cognizant email accounts**, based on information in Cognizant internal systems. GM will **not** communicate with associates through a personal email or a client-based email accounts. Each associate is personally responsible for:
 - Ensuring that Cognizant systems such as HCM, One Cognizant and/ or any other related automated systems used at Cognizant contain only the latest information;
 - Daily checking his/her Cognizant email account; and
 - Timely responding to GM requests.

J. GC Process

Obtaining a GC on the basis of U.S. employment is generally a 3-step process for the EB-2 and EB-3 categories, as follows:

Step 1:

- All labor certification applications are filed electronically using a Form ETA-9089 under the PERM process.
- DOL provides information related to the PERM program at its website at: <http://www.foreignlaborcert.doleta.gov/>

Step 2:

- After obtaining DOL approval (i.e., Step 1), Cognizant files a Form I-140 petition with CIS for immigrant visa classification (e.g., EB-2, EB-3) for an associate. As noted above, as the I-140 is an employer petition, it is Cognizant policy to withdraw the I-140 from USCIS within approx. 60 days of termination of employment with Cognizant."

Step 3:

- Form I-485, application for adjustment of status to lawful permanent resident, which is an associate's personal application, can be filed by the individual provided that the priority date is "current," i.e., a GC visa is currently available in the EB classification for the associate's country of birth. Please see next paragraph for more information on priority dates. Cognizant will provide basic guidelines for an associate to submit the I-485 based on a current EB-2 or EB-3 priority date, on their own or the associate can use his/her own attorney to proceed with this filing.

In the EB-2 and EB-3 classes, the priority date is the date that DOL accepts a PERM labor certification application filed on behalf of an associate. For EB-1, the priority date is the date the I-140 is filed. Every month, the U.S. government publishes the [Visa Bulletin](#) to report on GC visa availability according to priority dates per EB category. To be eligible to file a Form I-485 package with CIS, an associate's priority date must precede the cut-off date listed in the Visa Bulletin, i.e., the associate's priority must be "current."

Currently the Department of State publishes two different charts to indicate how and when applicants' cases will be accepted and adjudicated, based on priority dates:

1. **Application Final Action Dates** – applicants current per this chart may have USCIS reach a decision on their cases in the coming month; and
2. **Dates for Filing Applications** – applicants current per this chart are eligible to submit the I-485, but will not receive a decision until the priority dates are current in the Application Final Action Date chart.

Please note that USCIS does not always follow the above chart determinations listed in the Department of State Visa Bulletin. Before each month begins, CIS at [USCIS Visa Bulletin](#) posts which chart it will follow for accepting applications. For example, some months USCIS will only accept "filings" for those who have a date that is listed as current in the Application Final Action Dates only, and will not accept "filings" for those current per the Dates for Filing Applications chart. Associates should always check the USCIS Site before proceeding with submitting an I-485 application.

The processing times of the various governmental agencies, as well as visa availability as reported in the Visa Bulletin, are factors that are outside of Cognizant's control. Approximate processing times can be found at www.uscis.gov.

1. What is the expected timeframe for the entire Green Card process to be complete?

Step 1 - The PERM Application:

Under PERM, DOL is not under any obligation to adhere to any specific timeframes to adjudicate a case. Absent a DOL audit, DOL aims - but does not promise - to process PERM applications in six (6) to twelve (12) months. Once there is an audit placed on the PERM application, processing times can more than double.

Step 2 - The Form I-140 Petition:

CIS generally takes 12 months or more to process a Form I-140 petition. CIS closely restricts Premium Processing Service for Form I-140 petitions. Premium processing is **ONLY** available for I-140 petitions in limited circumstances.

Step 3 - The Form I-485 Application Package (including Employment Authorization Document and Advance Parole):

Once a priority date is current, an I-485 can be filed. Please see above for how to determine if a priority date is current. The timeframe for adjudication cannot be provided as the timeframe varies on a case by case basis.

In general, an I-485 is considered an individual application (not an employer application). GM can provide basic guidelines/instructions for associates with a Cognizant sponsored EB-2 or EB-3 GC to follow so that these applications can be submitted by the associates on their own, or submitted by an attorney who files on their behalf. Associates are responsible for the attorney and filing fees. For a Cognizant sponsored EB-1 applications, as the dates are usually current to file along with the I-140, GM will continue to provide basic guidance/instructions and ship the associates' completed application to USCIS along with the Cognizant I-140 filing. However, because GM is not a law firm, only general guidance can be provided with regard to this application. The quality, completeness, and content of all I-485 and related documentation is the responsibility of the associates. If any complex issues or questions arise with regard to the I-485 application on which GM is not permitted to advise, associates may seek assistance from an attorney, and will be responsible for any related fees.

- The Employment Authorization Document ("EAD") is valid for one to two years. The associate can renew his/ her EAD no more than 120 days before the expiry date. Further information will be given in an associate's I-485 instructions package.
- Advance parole ("AP") is usually valid for one year. An associate can renew his/ her AP no more than 120 days before the expiry date. Further information will be given in an associate's I-485 instructions package.

2. Timeline for when a PERM can be filed with the Department of Labor.

- PERM filing dates are determined by several factors and an employer must complete various requirements as per the Department of Labor regulations. This means that Cognizant is not always in a PERM filing cycle.
- When Cognizant is in a PERM filing cycle, GM files cases on a first come first serve basis in order of date of complete document submission in our systems, while also prioritizing cases for those associates who are considered to be in urgent max out situations.

3. What GC process expenses does Cognizant cover? What costs is the associate's responsibility?

- Cognizant covers government filing fees for the I-140 process. As the I-485 process is considered an individual application, associates will be responsible for payment of all I-485 filing fees to the US government, in all circumstances.

4. What is the earliest date that I can file Form I-485 GC application package with CIS?

To file a Form I-485 GC application package with CIS, an individual must hold:

- A DOL-approved PERM application;
- A CIS-pending or CIS-approved Form I-140 petition; AND
- A current priority date. Please see above for how to determine if a priority date is current.

5. What is Employment-Based preference category?

There are a limited number of GC visas available each year. Visas are allocated according to the employment-based ("EB") preference category. When demand for GC visas exceeds the annual supply, backlogs ensue.

There are three different preference categories within employment-based GC process:

| GC Employment-Based (“EB”) Preference Category ▼ | Description ▼ |
|--|--------------------------------------|
| EB-1 | Multinational Managers or Executives |
| EB-2 | Advanced Degree Holders |
| EB-3 | Professionals and Skilled Workers |

6. When is it possible to by-pass the step 1 labor certification application, e.g., PERM application?

Associates who qualify for EB-1- are exempted from the step 1, the PERM process, and may directly proceed to the step 2, Form I-140. An associate must be in either L-1A or H-1B status and have worked:

1. Outside the U.S. for a Cognizant affiliate
 2. For a cumulative period of **365 days** or more in the 3-year period preceding any entry into the U.S. to join Cognizant U.S. payroll
 3. At a **Manager level/designation or higher**
 4. In a “managerial capacity,” which is defined as an assignment within Cognizant in which an associate:
 1. Primarily manages a team of professionals (directly and indirectly);
 2. Supervises and controls the work of other associates;
 3. Has the authority to recommend personnel actions, such as hiring, firing, promotion, performance review, salary adjustments, and/or leave; AND
 4. Exercises direction over the day-to-day the activity or function that the associate manages.
 5. The onsite/ U.S. position is also in a “managerial capacity,” as described above.
- Cognizant requires that associates have held the minimum designation of **Manager** or above for at least 365 days physically outside of the U.S. with Cognizant abroad (e.g., UK, India) to qualify for EB-1.

All new GC requests are first assessed for EB-1 eligibility so that an associate does not need to separately inquire about EB-1 eligibility.

7. Are associates who hold L-1A visa status automatically EB-1 eligible?

Not necessarily. An L-1A visa does **not** establish EB-1 eligibility as the requirements are slightly different. Please refer above for EB-1 eligibility.

K. PERM

DOL established the Program Electronic Review Management (“PERM”) system to process step 1 of the GC process, labor certification applications. The DOL provides further information about PERM and its predecessor program, Reduction in Recruitment (“RIR”), at its website: <http://www.foreignlaborcert.doleta.gov/>

Under PERM, DOL is not under any obligation to adhere to any specific timeframes to adjudicate a case. Absent a DOL audit, DOL aims - but does not promise - to process PERM applications in six

(6) to twelve (12) months. Once there is an audit placed on the PERM application, processing times can more than double.

Prevailing wage

DOL subjects all PERM applications to a prevailing wage. The prevailing wage rate is defined as the average wage paid to similarly employed workers in the requested occupation in the area of intended employment.

DOL rules define which compensation components may be counted towards the prevailing wage. That is, Cognizant includes certain compensation components, e.g., Base Pay, Cost of Living Adjustment (“COLA”), paid out Contribution, and paid-out Performance.

Department of Labor PERM Audits

To file a PERM application, the employer is only required to submit an online ETA 9089 Form with the DOL. No other documents are submitted with the online application. DOL will randomly issue an Audit for cases, where employer specific documentation is requested, which is not specific to an individual applicant. An Audit requires the employer to submit employer-based documentary proof to the DOL showing that the employer is compliant with all DOL PERM regulations. There is nothing an employer can do at the time of filing to avoid an Audit, and an Audit is not indicative of any missing information in the initial filing. If an Audit is issued, an associate will be contacted as soon as possible as the employee’s signature is needed for the response.

L. Work Experience

1. What work experience may be used in qualifying an associate for GC?

Only experience gained working for a company other than Cognizant U.S. AND after receiving the qualifying degree may be considered. Experience gained in any Cognizant affiliate abroad (not U.S.) will be considered.

***No work experience gained while working for Cognizant in the U.S. may be used.**

2. What proof of prior work experience is required?

All associates are required to confirm his/her work experience after earning the education AND outside Cognizant U.S. Only experience that has the relevant supporting documentation can be used for the PERM program.

Generally, an experience letter from the prior company is submitted by an associate to GM at this stage. Certificates of Employment by themselves are insufficient per CIS requirements to document prior work experience.

Legally sufficient work experience letters are either on business letterhead or in an affidavit from former **supervisor(s)**. A legally sufficient letter or affidavit includes the following:

- a. Name of the employer;
- b. A brief description of the employer’s business activity;

- c. The **exact start and end dates** (i.e., mm/dd/yyyy) for each position held with the employer, including the number of hours worked per week;
- d. The associate's designation/ job title;
- e. A **detailed description** of the associate's duties/responsibilities and technologies utilized; and
- f. The name and designation/ title of person providing the above-mentioned information.

A letter from the prior company or an affidavit signed by the associate's prior supervisor is the best proof of prior work experience. If an associate is only able to obtain a supervisor affidavit in the format described above, CIS is likely to question this type of evidence as part of the Form I-140 phase, and creates an elevated risk of denial of Cognizant's I-140 on behalf of an associate.

Additional evidence, in combination with the employment letter and/ or affidavit noted above, is helpful, to include at least two of the following: (A) Leaving certificate; (B) Pay slips; (C) W2's; and/ or (D) Joining letter.

Please refer to the below for work experience and supervisor affidavit templates.

- Click [here](#) to view the Experience Letter
- Click [here](#) to view the supervisor affidavit template

3. What fields of study does Cognizant require in order to file a PERM application?

Cognizant's PERM program requires that an associate have completed the required degree in Computer Science, Science (any), Engineering (any), Mathematics, and/or Business. An Arts degree does not satisfy Cognizant's education requirements for the PERM program.

4. What is EB-2 classification?

EB-2 is an abbreviation for employment-based second preference classification, which is available for "members of the professions holding advance degrees".

At minimum, an associate must meet either of the below requirements:

- a. A U.S. Master's degree or a single foreign degree equivalent to a U.S. Master's ("MS") plus one year of work experience in the related field after earning the degree and prior to joining Cognizant U.S.; or
- b. A U.S. Bachelor's degree or a single source foreign degree equivalent to a U.S. Bachelor's ("BS") (a **4 year Foreign Bachelor Degree**) plus at least 5 years of progressive experience in the related field after earning the degree and prior to joining Cognizant in the U.S.

NO work experience gained with Cognizant in the U.S. may be used to meet the above requirements, and unfortunately there are no exceptions.

5. What is EB-3 classification?

EB-3 is an abbreviation for the third employment-based preference classification, which is available for professionals and skilled workers. To meet the EB-3 requirements, an associate must have at minimum, one of the below:

- a. A U.S. Bachelor's degree or a single foreign degree equivalent to a U.S. Bachelor's ("BS") AND at least 1 year of progressive experience outside of Cognizant U.S. in a related field after earning the degree; or

- b. A U.S. equivalent of 3 years of Post-Secondary Education AND at least 3 years of progressive experience outside of Cognizant U.S. in a related field after earning the degree
NO work experience gained with Cognizant in the U.S. may be used to meet the above requirements, and unfortunately there are no exceptions.

6. Are associates who have 3-year degree from India eligible for PERM and/ or for EB-2 classification?

An associate who has a 3 year degree from India in one of the required fields of study for Cognizant's PERM program must also have at least 3 years of progressively responsible experience in the IT field to be eligible for Cognizant's PERM program.

EB-2 eligibility is not possible with only 3-year bachelor's degrees from India, even when supplemented with work experience.

7. Are associates who hold a Master's degree from India eligible for EB-2 classification?

Not necessarily:

- Not all post-graduate diplomas from India are evaluated as equivalent to a U.S. Master's degree.
- If the associate holds a 3 year Bachelor's degree and a 2 year Master's degree, the associate will MAY be EB-2 eligible.
- If the associate holds a 3 year Bachelor's degree and a 3 year Master's degree, the associate MAY be EB-2 eligible.
- The position described in the PERM application must be one that meets DOL criteria for EB-2 classification.

8. Are associates who have a Master's Degree from the U.S. eligible for EB-2 classification?

Not necessarily:

- Even if an associate has a US Master's Degree, the field of study must meet with Cognizant's PERM program requirements;
- The associate also must have at least 1 year of progressive experience outside of Cognizant U.S. in a related field after earning the degree.
- The position described in the PERM application must be one that meets DOL criteria for EB-2 classification.

9. Are associates who have a 4-year Bachelor's degree from India and have more than 5 years of experience eligible for EB-2 classification?

Not always:

- Not all work experience qualifies. The experience must be from an employer other than Cognizant in the U.S. and must be in a relevant field.
- The associate MUST be able to provide the requisite supporting documentation in the format explained as evidence of the experience.
- The position described in the PERM application must be one that meets DOL criteria for EB-2 classification.

M. Spouse and Children

An associate's spouse and/ or child(ren) (i.e., children under the age of 21 year) do not need a separate labor certification application (e.g., PERM) or a Form I-140 CIS approval.

A separate/ individual Form I-485 is necessary for the associate and each immediate family members (i.e., spouse and/ or children (only children under the age of 21 year). Provided that the priority date is current, an associate and his or her family may file their individual Forms I-485 with CIS.

If an associate gets married after filing Form I-485, his/ her spouse is still eligible to file Form I-485 as a dependent/ derivative of the associate as long as:

- a. The associate's priority date is current (see priority date information above); AND
- b. The associate's I-485 remains pending with CIS (not approved).

N. Miscellaneous GC Topics

1. Are associates and/ or spouses and children permitted to work while their Forms I-485 are pending at CIS?

Unless an associate and/ or his/ her spouse have employment authorization separate from the I-485 EAD, the I-485 EAD must be received/ in-hand before an associate and/ or his/ her spouse work in the U.S.

An associate and his/ her spouse and child(ren), i.e., child under the age of 21 years, can apply for an employment authorization document (EAD) when filing their individual Forms I-485, or upon receiving their I-485 receipts from the CIS.

GC and H-1B or L-1 Visas

2. If an associate holds an H-1B or L-1 Visa status, will it affect his/ her Green Card process?

The law specifically exempted H-1B and L-1 visa holders from the limited-time-period (nonimmigrant/ temporary) intent. That means that H-1B and L-1 visa holders may pursue GC sponsorship without jeopardizing their continued eligibility for H-1B and L-1 visa benefits. However, federal law strictly requires individuals who hold temporary-duration visas (e.g., B-1, E-3, F-1, J-1, TN) to intend to remain in the U.S. for a defined short-term period of time for a specific purpose.

3. Do associates need to extend non-immigrant status (i.e., H-1 or L-1 status) if he/ she has a valid Employment Authorization Document ("EAD") and Advance Parole (AP)?

Yes!

It is important to maintain underlying H-1B or L-1 status and visa stamps. In the event that CIS denies an associate's Form I-485 application, any EAD and AP will be automatically voided. In such a case, without the underlying H-1B or L-1 visa status, the associate will **not** be authorized to:

- Remain in the U.S., nor
- Work in the U.S.

To protect the associate from this risk, Cognizant requires that all associates with CIS-pending Form I-485 applications maintain their underlying H-1B and/or L-1 status and visa stamps. Accordingly, associates should:

- a. Maintain valid Form I-94 cards in H-1B or L-1 status, and
- b. Use H-1B or L-1 visa stamps to enter the U.S.

4. Should an associate renew his/ her EAD/AP?

It is important to renew an EAD to maintain work authorization in addition to the associate's underlying H-1B or L-1 status. EAD renewal can be filed within 120 days of expiration date. It is the associate's responsibility to renew the EAD and AP. When within a 120 days of the expiration date please initiate an I-485 EAD request in MyVisa and/or an Advance Parole request in MyVisa. The associate will receive further instructions via email once the associate initiate these requests. If the associate have any issues, please visit <http://git.cognizant.com/General/QTGI-GMSERVDK.pdf> for further instructions.

5. Questions pertaining to Travel while the GC is pending or approved (please click on below)

Click [here](#) for FAQ for - International travel while your I-485 is pending

O. Post-GC Issues

1. What is the validity period of a GC?

CIS issues cards to indicate GC status. These cards each are valid for a 10-year period. CIS provides general information about renewing GC cards at:

<https://www.uscis.gov/green-card/after-green-card-granted/renew-green-card>

Only the card expires, not the permanent resident status.

2. How does an individual protect a GC during a prolonged absence from the U.S.?

An individual may lose his/her GC status through abandonment. Generally, GC holders who are absent from the U.S. for a continuous period exceeding 180 days may be considered as "returning aliens," which means that an immigration inspector may closely question that individual at the port-of-entry ("POE") to test whether GC status is abandoned. If the GC holder has been absent from the U.S. continuously for six months or more, abandonment of GC status is presumed, but may be overcome with evidence that the individual did not intend to abandon such status. After making a formal finding of abandonment, POE immigration inspectors have the discretion to "take away" an individual's GC at the border.

To protect GC status during a U.S. absence of 6 continuous months or longer, an individual should consider taking the following courses of action:

- a. Before departing the U.S., apply to CIS for a re-entry permit, which serves as proof that an individual did not abandon GC status despite a prolonged U.S. absence during the permit's validity (i.e., up to 2 years). Re-entry permits may be renewed for up to 2 years.
 - b. Pay U.S. taxes as a "tax resident." Filing a federal income tax return as a non-resident alien raises a rebuttable presumption that an individual has abandoned his or her GC status. The safest course of action is to file such returns as a "U.S. tax resident," despite the financial cost. The GC holder should get tax advice from a tax professional experienced in these matters.
 - c. Request a Cognizant "assignment letter" to define the assignment abroad, including its duration, from GSD → HR US. The aim is to have Cognizant acknowledge that the assignment abroad is of a temporary nature.
 - d. Have the individual maintain as many ties to the U.S. as possible, e.g., U.S. employment (despite a limited assignment abroad), close family in the U.S., payment of taxes as a "U.S. tax resident," real estate and other significant property, U.S. banking and investment accounts; the more ties, the better.
3. **How does a GC holder protect U.S. naturalization eligibility in advance of a prolonged absence from the U.S.?**

To qualify for naturalization, an individual must meet various criteria, including:

- a. Time as a GC holder, i.e., 5 years if GC was based on employment-based sponsorship.
- b. Physical U.S. Presence, i.e., at least 30 months in the last 5 years.
- c. Continuous Residence, i.e., all U.S. absences were less than 6 months.

For an overview of all naturalization requirements, please go to CIS's naturalization web pages, which are an excellent source of information. www.uscis.gov.

P. MyVisa

1. **How do associates update personal information such as home address, mailing address, phone number in MyVisa?**

The personal information shown in MyVisa is streamed directly from PeopleSoft HCM. Updates must be made in PeopleSoft HCM using the Self Service option. Changes made will automatically reflect in MyVisa.

Residence Address in MyVisa is mapped to *Home address* in PeopleSoft HCM.

Mailing address in MyVisa is mapped to *Mailing address* in PeopleSoft HCM.

Go to PeopleSoft HCM: **Self Service >Personal Information>Home and Mailing**

Address

Residence phone number (Phone 1) in MyVisa is mapped to *Permanent phone number* in

PeopleSoft HCM.

Mailing address phone number in MyVisa is mapped to *Mobile number* in PeopleSoft HCM.

Go to PeopleSoft HCM: **Self Service>Personal Information>Phone Numbers**.

2. How do associates update their name(s) in MyVisa as per Passport?

Passport Name in MyVisa is mapped to *Passport name* in PeopleSoft HCM. To update it, use the **Self Service>Personal Information>Passport name change** option in PeopleSoft HCM.

3. How do associates submit the World Visa Request (WVR) Questionnaire for manager's review and approval?

Complete the WVR and click on the *close* button. From the left hand side menu click on the *submit* button to submit the associate's WVR. The associate will need to accept the declaration for the associate's request to be submitted.

4. How do associates see the status of a visa/case request initiated in MyVisa?

To view the status of the associate's visa/case request go to *visa/case request* page, select *Open cases* under *Case list* from the menu on the left hand side. Click on *Status and reminder* steps option to view the status of the associate's case.

5. Do associates have to fill the WVR for dependent's visas?

No, only the WVR form for the associate need be filled for a visa request.

6. How does an associate update HCM and MyVisa so that it matches his/ her name as shown in his/ her passport?

Use the **Self Service>Personal Information>Passport name change** option in PeopleSoft HCM. The associate's changed passport name will be automatically reflected in MyVisa.

Note: All Associate's actual first name and last name has been updated as the passport first name and last name in HCM (applicable for those associates whose passport first name and last name is blank in HCM). If the associate's passport first name and last name is different from the associate's actual first name and last name, follow the above process to. Get the passport name corrected in HCM and same information will be automatically reflected in MyVisa.

7. How does an associate change his/her HCM supervisor in MyVisa?

Review the HCM Supervisor in PeopleSoft HCM using the Self Service option. Verify if the HCM Supervisor in PeopleSoft is correct. If it isn't, then the associate must have his/ her supervisor initiate the necessary changes.

8. If an associate has been promoted, should he/she to submit the MyVisa questionnaire to update MyVisa?

Once the associate's new designation gets updated in HCM, it will change automatically in MyVisa.

9. How would an associate update his/her education and experience details, and passport details such as birth place, which cannot be updated using HCM Employee Self Service?

Please raise a GSD ticket for correcting/updating information in HCM on *People Line*. HR Shared Services team will make the required changes after verifying the scanned copies of the associate's original documents. For example,

- Education / Experience details:
Raise GSD ticket in ***PeopleLine > HR Systems > Peoplesoft> Educational details/Experience details.***
- Passport information
Raise GSD ticket in ***PeopleLine > HR Services > Personal Info > Passport information***
- Data discrepancy

Raise GSD ticket in ***PeopleLine > HR Systems > People Soft > data discrepancy***

Note: For more information refer the HCM data correction document in MyVisa Help.

10. What is the Manager's procedure for approving the visa request in MyVisa?

- Log on to MyVisa – Intranet: <https://MyVisa>, Internet: <https://MyVisa.cognizant.com>
- In the "Zoom Assistant" home page, click on the Initiated Case of the Associate (or) on the *more* link from the *Visa/Case Request* section, to whom the associate have to approve.
- Click on the *Review* button at the right end of the case in visa / case request page.
- Click on *WorldVisa Questionnaire > Edit*. Complete the review and close the questionnaire.
- Click on *Approve / Reject* option on the left hand menu.
- Click the *Approve / Reject / Clarify / Cancel* button from the screen.
- *Note: Questionnaire review is not required for GC requests. The Manager can use the Approve / Reject option in the visa / case request page to Approve / Reject / Clarify / Cancel the request. All UK Visas and GC requests must be initiated through MyVisa system (email approval will not be acceptable as per the new process).*

11. Is it necessary to scan and upload all the pages of a passport on MyVisa to process a visa request?

No, the associate need only scan and upload the first two pages, the last two (Biographic) pages and all the pages with immigration and/ or visa stamps in the associate's passport. The blank pages are not needed unless explicitly requested.

Note: The scanned pages of the passport need to be clear and readable. Verify the scanned images of the passport before uploading it to MyVisa.

12. How would an associate be able to see the status of his/her visa request in MyVisa?

- Log on to MyVisa – Internet: <https://MyVisa.cognizant.com>.
- In the "Zoom Assistant" home page, click on *Visa/Case request* Tab under MyInfo.
- Click on *Case List* in the Left hand side menu from the Visa/case request page.
- Click on the *Case id* in the Associate cases page.

- The associate will be able to see the process steps listed in the screen with a “√ “ for the steps already
- Completed along with the completion date and estimated date for those steps which is in progress and not yet started.

13. What is the next step after an associate’s visa request has been approved by his/ her HCM Supervisor?

After the associate’s Manager approves the visa request, the case will be sent to the GM Team for review and determination of the associate’s visa type. Upon GM approval, the associate will receive an e-mail with the link to fill the questionnaire and upload the documents.

14. If an associate’s visa request was rejected by GM, what is the procedure for re-opening the case?

The associate cannot re-open a case again in MyVisa. The associate needs to raise a new visa request and submit it to the associate’s manager for approval.

15. If an associate’s visa request is sent back to him/ her for clarification by Global Mobility, what is the associate’s next step?

The associate needs to provide the required clarification requested by Global Mobility by modifying the questionnaire and re-submitting the visa request to the associate’s manager for approval. After the associate’s manager’s approval, the visa request will be sent to Global Mobility for review.

Cognizant has various resources available to assist the associate with the associate’s immigration needs. For additional information on Global Immigration, please visit the About Global Mobility app on OneCognizant at <https://onecognizant.cognizant.com>.

Q. Canadian Work Permit

1. What are the different types of work permit filed by Cognizant?

- a) Labor Market Impact Assessment (LMIA) – required for associates with less than one year experience with Cognizant outside of Canada. This application type is currently on hold due to changes in governmental policies.
- b) Intra Company Transfer (ICT) – required for associates with at least one year of experience with Cognizant outside of Canada.

2. What is a LMIA?

To file an LMIA, the employer must do a survey of the Canada labour market by placing advertisements and giving an opportunity to Canadian citizens to apply for the job. If no qualified candidate applies for the position, the employer can file the LMIA. The time period to file and receive adjudication on an LMIA based application is about 3-4 months.

3. What is an ICT?

To file an ICT, the employer must prove:

- The employer needs to prove the applicant has specialized knowledge.

- The position in Canada is similar to the position with the previous employer (Cognizant-India, US etc.)

4. When would an associate submit his/her passport for the visa stamping?

- For cases filed from the US:
 - The passport is required after the work permit is approved. It takes about 10 days to process visa stamping.
- For cases filed from India:
 - The passport is required at the time of submission to the consulate. The processing time for the passport to be returned is 4-6 weeks.

5. What is the lead time to process new visa?

The lead time for each step is listed in MyVisa.

6. What is the validity of a work permit?

The work permit is filed for 2 years and can be renewed.

7. Can an associate's spouse work on his/her dependent visa?

Cognizant will file an Open Work Permit for the associate spouse which would allow the individual to work for any employer in Canada. If an Open Work Permit is required, please inform the associate case manager (available in MyVisa).

8. Are medical test required for a Canada work permit? Is there a short term work permit which does not medical?

If the Canada work permit is filed from India, then medical clearance is required. Cognizant has stopped filing short term work permit for our associates as there are other complications associated with that visa – issues with obtaining a lease, issues with obtaining health care etc.

Medical test is required for associates filing the Canada Work permit from the US only if the associate has spent less than 1 year in the US.

R. Canada Work Permit Extension

1. When would an associate initiate the work permit extension?

ICT: The work permit should be initiated 2 months in advance in <https://MyVisa.cognizant.com>

2. Does an associate need to be in Canada when the extension is filed?

Yes, associate/dependents must be physically present in Canada when an extension is filed.

3. What if an associate's spouse is not in Canada?

An extension cannot be filed if an associate/dependent is out of Canada. If an associate is present in the Canada but his/her spouse is out of Canada, the extension for the associate can be filed, but not the dependent extension. After the extension is approved, the spouse can use the associate's approval notice to apply for a dependent visa stamp at a Canadian consulate in India.

4. Will the extension be processed online or through the paper based method?

ICT: The ICT extensions will be processed online.

Visit <http://www.cic.gc.ca/english/information/times/temp.asp> for latest updates on processing time.

5. Will associates receive a receipt number the application?

If the application is filed online, a receipt number is issued and the same is updated in MyVisa as well as emailed to the associate.

For applications filed via paper-based method a receipt number is not issued.

6. Can associates stay in Canada after the extension is filed and his/ her current work permit has expired?

Once the extension is filed with CIC, the associate and his/her dependents, are authorized to remain in valid status until the case is approved.

7. Can an extension be expedited?

There is no provision to expedite a work permit extension.

8. Once an extension is approved, how would an associate process visa stamping (TRV) in his/her passport?

To process the TRV application, email the associate's GM POC for further information. It takes about 5 weeks to process the TRV. During this period, the associate's passport will be submitted to CIC.

9. Can an associate travel outside of Canada while extension is in process?

An associate can travel while he/she has a valid work permit and the same is stamped in the passport. But if the work permit or visa stamp in the passport has expired, the associate should not travel. If the associate travels during the time when the extension is pending, he/she will have to remain out of Canada till the extension is approved and the visa stamping is processed.

S. Canada TN

For more information on the Canada TN process, please use the below link.

https://ecm.cognizant.com/cs/groups/confidential_cts_internal/@imn_g/documents/imn_docs/xziy/otay/~edisp/ctsecmin_22902325.pdf