



Published on *US Immigration Lawyer, Law Offices of Rajiv S. Khanna, PC, Rajiv S. Khanna* (<https://immigration.com>)

Applying for Green Card while Holding H-4 Status; Applying for Green Card and Permanent Residence for Another Country Simultaneously

Applying for Green Card while Holding H-4 Status; Applying for Green Card and Permanent Residence for Another Country Simultaneously ^[1]

Submitted by Chief Editor on Oct 27th 2017

I was on H-4 visa from Feb 2014 till Dec 2015. I was on H-1 visa from Dec 2015 to April 2017. In April my H-1B transfer got denied. Hence I applied for change of status from here (April 15 2017) and now my H-4 application is under process. In Dec 2016 (while I was on H-1B visa), I had applied for GC in EB2 category with my employer. My employer told me that my labor has been approved.

- 1: Is there a website where we can check the status of labor if it has been approved?
- 2: When can I file for I-140? Is it true that it has to be filed within 180 days of labor approval?
- 3: Can my GC application continue whilst being on H-4 visa?
- 4: Does the GC process, at any stage, require the applicant to be on H-1 visa?
- 5: I am planning to start Canada PR procedure. Will my GC application interfere with Canada PR at any point?

ANSWER:

Watch the Video of this FAQ: Applying for green card while holding H-4 status; applying for green card and permanent ^[2]

residence for another country simultaneously ^[2]

Video Transcript:

1. You have to go through your lawyer or your employer. You won't have access to it, but definitely, there is a website.

2. Within 180 days of the labor approval.
3. Yes of course.
4. It does not.
5. I don't see any problem with it, I know that at the border the Customs and Border Protection (CBP) sees that you have got two permanent residence applications going on sometimes they can raise a stink about it but in my opinion that's completely unjustified. [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-4 Visa](#) [3]

[H-1 Visa](#) [4]

[General Nonimmigrant Visa](#) [5]

Green Card:

[Employment Based Green Cards](#) [6]

[EB2 Green Card](#) [7]

[Form I-140](#) [8]

[Form I-485](#) [9]

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](#) [10] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [11]

[Add new comment](#) [12]

Source URL (retrieved on 6 Aug 2020 - 19:41): <https://immigration.com/faq/employment-based-green-cards-eb2-green-card-form-i-140-form-i-485/applying-green-card-while>

Links:

[1] <https://immigration.com/faq/employment-based-green-cards-eb2-green-card-form-i-140-form-i-485/applying-green-card-while>

[2] <https://youtu.be/1oSVrcU8O4g?t=249>

- [3] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-4-visa>
- [4] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>
- [5] <https://immigration.com/visa/nonimmigrant-visas/general-nonimmigrant-visa>
- [6] <https://immigration.com/greencard/green-card/employment-based-green-cards>
- [7] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb2-green-card>
- [8] <https://immigration.com/greencard/green-card/form-i-140>
- [9] <https://immigration.com/greencard/green-card/form-i-485>
- [10] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>
- [11] <http://www.immigration.com>
- [12] <https://immigration.com/JavaScript%3Avoid%280%29%3B>