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## H-1B after CPT

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Submitted by Chief Editor on Apr 6th 2011

I do not qualify to apply for OPT. I have used my CPT completely by working for my current employer for past 1.5 yrs. They started my H-1B process. My current job (QA Analyst) minimum requirement is Associates degree or 0+ yrs experience. Lawyer came back saying job description should be changed to minimum bachelors or equivalent. I have 16 yrs education from India + MBA from here (April 2011) + 1.5 yrs experience. My employer is not willing to change the job description. Can they ask the lawyer to continue the process with the current job description?

#### **ANSWER:**

An H-1 can be requested for a job that requires minimally a bachelor's degree. Note that the employer **MUST TRUTHFULLY** require a degree. If not, you cannot process an H-1.

**Unless the context shows otherwise, all answers here were provided by [Rajiv](#) <sup>[2]</sup> and were compiled and reported by our editorial team from comments and blog on [immigration.com](https://immigration.com) <sup>[3]</sup>**

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