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# H-1B Extension

## H-1B Extension <sup>[1]</sup>

Submitted by Chief Editor on Nov 14th 2012

We were retained to file H-1B extension for the job title of Manager, HR and Training Operations [SOC (ONET/OES) Occupation Title of 11-3131 Training and Development Manager]. USCIS questioned that the job does not qualify as specialty occupation because the position falls within the category of HR Managers, and, as such, no specific degree or education is required to train for the position of HR Manager.

This was a very difficult case because we had the task of differentiating the proffered position of Manager, HR and Training Operations from that of HR Manager, even though Beneficiary was performing some of the HR Manager functions and his job title appeared to be similar to HR Manager.

We argued in the RFE using decided cases that USCIS should take into account the nature, scope, and size of the Petitioner's business enterprise along with Petitioner's hierarchy/staffing levels to determine the importance of Beneficiary's position. We provided data from various universities and arguments how the data correlates with the offered job.

USCIS accepted our arguments and approved the case.

### **Nonimmigrant Visas:**

H-1 Visa <sup>[2]</sup>

Extension <sup>[3]</sup>

### **Profession/Occupation:**

Managers and Executives <sup>[4]</sup>

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### **Links:**

[1] <https://immigration.com/sample-cases/h-1-visa/h-1b-extension>

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

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

[4] <https://immigration.com/profession/professionoccupation/managers-and-executives>