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I-140 Pending Approval

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Submitted by Chief Editor on May 5th 2014

I am currently on second year of my H-1B. My PERM is approved with a priority date of March 2013; I-140 is filed and pending approval. I am hoping this would be approved in July 2014. My question is I am planning to switch employer. Can I carry over my priority date with new employer? If so, are there any conditions like minimum period to wait after I-140 is approved to carry over the Priority dates to new employer?

ANSWER:

The priority date is yours the moment the I-140 is approved. There is no "cooling off" period.

Nonimmigrant Visas:

H-1 Visa [2]

Green Card:

Form I-140 [3]

PERM - Labor Certification [4]

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

[3] <https://immigration.com/greencard/green-card/form-i-140>

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