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Do jobs have to be same or similar when I port my priority date?

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Submitted by Chief Editor on Apr 5th 2017

1. I'm on H-1 visa and on my 8 th year ...visa is getting extended based on I-140 approved. I'm getting an offer to join different company end client(currently I'm with the consulting company) designation not decided yet. In my current employer, I am manager and wondering if I get a different position in other company like Director or solution architect or Sr Manager...and if I join that company what effect that will make on my current approved I 140 or GC process. Is this safe to jump? I heard job category needs to be same or similar in various forums for PERM but I don't have clarity or understanding what that rule is and....how that thing impact my situation.
2. I have not filed I-485 yet since my priority date is back in 2013 in EB2. Also, my wife has H-4 EAD does that impact as well?

ANSWER:

Watch the Video on this FAQ: Do jobs have to be same or similar when I port my priority date? ^[2]

Video Transcript

1. When you port the whole job; I-485 is pending 180-days, jobs have to be same or similar. When you are just porting the Priority Date in the I-140, jobs can be completely different. You have to start the green card from the PERM process, but when you are just porting the Priority Date there is no problem.
2. The answer is No. As long as you are maintaining your H-1 status and she is maintaining her H-4 status 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.

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FAQ Transcript:

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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]

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Links:

[1] <https://immigration.com/faq/form-i-140-form-i-485-perm-labor-certification-priority-date/do-jobs-have-be-same-or-similar>

[2] <https://youtu.be/2oP9OIngU38?t=2826>

[3] <https://immigration.com/visa/nonimmigrant-visas/h-4-ead>

[4] <https://immigration.com/visa/nonimmigrant-visas/general-nonimmigrant-visa>

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

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

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[9] <https://immigration.com/greencard/green-card/priority-date>

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[11] <http://www.immigration.com>

[12] <https://immigration.com/JavaScript%3Avoid%280%29%3B>