



Unit Checklist for New H-1B1 Petition

- () 1. Unit submits Request to File H-1B1 Petition form (see attached) and loads the necessary appointment into HRS (Human Resource System). *Following receipt of this signed form, AgCenter HRM will file the Labor Condition Application. While this form is being filed, the unit should complete Steps 2 and 3.*

- () 2. Prepare and/or obtain the following documents which later will accompany the actual visa petition.
 - () a. Information sheet about the person you are filing for (for completion of Form I-129)
 - () b. Evidence of educational background (copies of diplomas and transcripts); must be in English.
 - () c. Current curriculum vitae including publication list (include reprints if available)
 - () d. Obtain a copy of both sides of the prospective employee's original I-94 (*only if already in the U.S.*)
 - () e. Copy of prospective employee's unexpired passport.
 - () f. Letter of offer identifying position title, salary, and period of appointment – *see sample letter*
 - () g. Institutional support letter identifying duties/responsibilities prospective employee will perform; education, training, experience, and background which permit prospective employee to perform these duties, and a statement describing how the position is temporary in nature (i.e., grant funds, annual review, etc.) - *see sample letter*
 - () h. **Unit needs to secure two checks through Accounting Services:**
 - (1) Check in the amount of **\$325.00** made payable to Department of Homeland Security (do not abbreviate). This is the petition filing fee.
 - (2) Check in the amount of **\$500.00** made payable to Department of Homeland Security (do not abbreviate). This is the anti-fraud fee.
 - () i. Export Control Questionnaire
 - () j. If prospective employee is currently on an F or J visa, please provide a copy of his/her employment authorization document (i.e., I-20, and OPT card, if applicable, or DS-2019).
 - () k. If currently in the U.S. and employee wishes to file for H-4 status for dependents:
 - K1. () Form I-539 may be printed off the USCIS website (www.uscis.gov) and must be completed by the oldest dependent.
 - K2. () obtain copy of both sides of all dependents' I-94 (*only if already in the U.S.*)
 - K3. () obtain copy of all dependents' unexpired passports
 - K4. () secure another check or money order in the **amount of \$290.00***

- () 3. Forward all items to the AgCenter HRM Office for review and for preparation of Form I-129.

- () 4. The unit will be notified when the Labor Condition Application is approved. *AgCenter HRM will obtain additional required signatures and mail the complete petition package to the U.S. Citizenship and Immigration Services (USCIS). Approval generally can be expected 16 to 24 weeks thereafter. ** USCIS offers premium processing service (15 days from the date of receipt at the USCIS) for \$1225. To request this service, contact HRM with this packet and submit a separate check for \$1225. NOTE: Premium processing does not guarantee approval.*



REQUEST TO FILE NEW H-1B1 PETITION

Prospective Employee Name _____

LSUID (if available) _____ Unit _____

Proposed Title _____ Position # _____

Proposed Salary _____ Proposed Period of Appointment _____

Account # _____

Proposed Source of Funds (check all that apply): ()State ()Federal ()Grant

Description of proposed job duties _____

Please note that, once the employee has H-1B1 status), prior to any change in the above duties, location of work, or pay other than routine increases, you must contact Torii Ransome Freeman in Human Resource Management to determine whether or not an amendment to the H-1B petition must be filed before actually making the proposed change(s).

I hereby request that procedures for an H-1B1 status petition be initiated for the above employee. I understand that by filing this petition I am agreeing to the following conditions and will provide any funds associated with complying with these conditions.

The actual or prevailing wage rate for the position, whichever is higher, must be paid (required rate to be determined by the AgCenter Human Resource Management Office).

The actual and prevailing wage rates must be updated every two years (by the AgCenter HRM Office) and the employee's salary must be increased to the new actual/prevailing wage rate if it is higher than the employee's salary at that time.

Reasonable costs of return transportation of the alien abroad must be paid if the alien is dismissed from employment by the employer before the end of the period of authorized stay.

Unit Head Signature Date

APPROVAL (REQUIRED FOR APPOINTMENTS FROM APPROPRIATED FUNDS):

Vice Chancellor & Director Date

*Load into HRS to fill a vacancy and appointment. Also, attach the EEO/ Affirmative Action Summary if this request is for a new employee. If the request is for an existing employee, load a continuation into HRS for the period to be covered by the proposed H-1 visa.



INFORMATION SHEET FOR COMPLETION OF FORM I-129 (Petition for Nonimmigrant Worker - H-1B1 Status)

Family Name _____ Given Name _____ Middle Initial _____

Employee Home Address _____

Date of Birth ____/____/____ Country of Birth _____ Province of Birth _____

Social Security Number _____ Alien # (if applicable) _____

If individual is in the United States, complete the following:

Date of First Arrival ____/____/____ Date of Last Arrival ____/____/____

Most Recent I-94# _____

Current Nonimmigrant Status _____ Expiration Date ____/____/____

Will dependents apply for H-4 status? ()YES - contact HRM for additional forms. ()NO

If individual is outside of the United States, complete the following:

Name and Address of Consulate to be notified if petition is approved:

Individual's Foreign Address

Does individual & any dependents have a valid passport? YES (attach copy) NO (If NO, explain below)

List the individual's and any dependent family members' prior periods of stay in H classification in the U.S. for the last six years (*do not include dates when the individual(s) was not physically present in the U.S.*):

List the worker's present occupation and summary of prior work experience:



REQUEST TO FILE NEW H-1B1 PETITION (CONTINUED)

Has any person in this petition ever been in J-1 or J-2 status? YES (If yes, please provide details below.) NO

Is any person in this petition in exclusion or deportation proceedings? YES (If yes, please provide details below.) NO

Has any person in this petition ever been denied H-1B1 classification? YES (If yes, please provide details below.) NO

Has any person in this petition been in H classification within the last 6 years. YES (If yes, please provide details, and dates present in the USA, in H classification.) NO



***SAMPLE LETTER OF OFFER
FOR NEW H1B1 PETITION***

NOTE: A previously written job offer is acceptable, provided it specifies the job title, prospective dates of employment, and salary.

Date

Employee Name

Address

Address

Dear Employee:

We are pleased to offer you the position of *job title* with the *Department of XXXXXXXX*. The period of appointment will be *beginning date through ending date*. The salary level associated with this position is \$\$\$\$\$.

We look forward to having you join this department.

Sincerely,

Immediate Supervisor or Unit Head



***SAMPLE INSTITUTIONAL SUPPORT LETTER
FOR NEW H1B1 PETITION***

Date

U. S. Citizenship and Immigration Services
California Service Center
Attn: CAP Exempt H-1B Processing Unit
P.O. Box 30040
Laguna Niguel, CA 92607-3004

Regarding: Petition for H-1B1 Status for *Employee Name*

This letter is written in support of the petition for H-1B1 status for *Employee Name* for the period ***start date*** through ***end date***. This position will have a job title of *Research Associate* and a salary level of \$\$\$\$\$ per year.

*This position will be responsible for assisting in research on _____
_____. Use this paragraph to elaborate on the duties of the employee and
the overall impact or purpose of the research.*

The types of work experience and training of *Employee Name* make *him/her* uniquely qualified to perform these duties. He/She has work experience with -- *briefly describe the employee's overall relevant work experience and how it relates to these job duties.*

Favorable consideration of this petition will be appreciated.

Sincerely,

Immediate Supervisor or Unit Head