

WORKSHEET FOR H-1B PETITION

TO BE COMPLETED BY UTSA HIRING DEPARTMENT (PAGES 1-7 AND PAGES 9-10)

Completed and signed H-1B Worksheet must be returned to International Student & Scholar Services (ISSS)

If there is no answer available, please type N/A

Part I. Information about UTSA Department, H-1B Worker and Requested Services

Name of H-1B Employee (Beneficiary):

Last

First

Middle

1. H-1B Employee is currently in the US in another visa status to one. If yes, what is the current status to one.

If in the U.S. on H-1B visa, indicate H-1B visa start date _____ and expiration date _____

Residing outside the U.S. ☐

Employing UTSA department: _____

Contact name of the person completing this paperwork for any questions regarding H-1B employment:

Name _____

Title _____

Telephone: _____

Contact person email address: _____

2. Type of H-1B petition:

- ☐ New H-1B (First H-1B petition for employee. Employee did not have H-1B visa in the past.)
- ☐ H-1B Extension (Continued previously approved H-1B employment at UTSA without change.)
- ☐ New Concurrent H-1B (H-1B Employee will work at UTSA while working for a different H-1B employer.)
- ☐ Concurrent H-1B Extension (H-1B employee will continue to work at UTSA while working for a different H-1B Employer.)
- ☐ H-1B Transfer to UTSA (H-1B employee is transferring to UTSA from another H-1B employer.)
- ☐ Amended H-1B or "Change in previously approved H-1B" (Please consult with ISSS.)

3. USCIS Service Requested (See filing fees on page 11):

- ☐ **Regular Processing** (check with ISSS for current USCIS processing time)
- ☐ **Premium Processing** (It takes 15 business days for USCIS after H-1B application is received/receipted)

4. **Fee Payment Options:** G-1450 (paper filing/mail)

Online Credit Card Payment - only available for petitions not including family members

5. **Employment period requested:** 3 years or less for initial petition. The H1-B visa can be extended for another 3 years or less. Applicant can have a total of 6 years maximum per stay.

Part II. Information required for the Prevailing Wage Determination and Labor Condition Application

International Student & Scholar Services uses this data to request Prevailing Wage and to submit the Labor Condition Application to the U.S. Department of Labor.

1. UTSA Handbook of Operating Procedures Title: _____

For "Other," must list title: _____, and obtain approvals as indicated in Part IV.

a. Is this a full-time position? Number of hours of work per week: Basic: _____ Overtime: _____

b. Period of intended employment Begin date _____ End date _____
(mm/dd/yyyy) (mm/dd/yyyy)

c. Hourly Work Schedule: Begin: _____ a.m. End: _____ p.m.

d. Does this position supervise the work of other employees?

If Yes, number of employees H-1B worker will supervise (if applicable) _____

e. Supervisor for H-1B employee:

Name: _____ Title: _____

Supervisor phone: _____ Supervisor email address: _____

**PLEASE FOLLOW UTSA APPOINTMENT/HIRING PROCEDURES FOR ALL TITLES. IF NECESSARY,
CONSULT WITH UTSA PEOPLE EXCELLENCE.**

2. **Job duties – a description of the job duties to be performed** (O*NET Code and O*NET Title must be included):

For assistance on description of job duties and O*NET Code, please follow the instructions below:

- Go to the O*NET home page at <http://www.onetonline.org>
- Use the Quick Search function to type a keyword such as the job title, etc.
- Click the Search button. The system will display a listing of occupations for which the job title might fit.
- Select the most appropriate occupation. Click the occupation you seek.

Job duties must conform to UTSA standard job description (if applicable) and O*NET job description.

O*NET Code: _____

O*NET Title: _____

a. Will travel be required to perform the duties? _____

If yes, please explain the travel requirements:

b. Are there any other working conditions that affect the rate of pay? _____

If yes, please explain the working conditions:

3. Minimum Job Requirements

a. Education: minimum U.S. diploma/degree required **Select:** _____

If "Other" degree, specify the diploma/degree required _____

Indicate the major and field of study required _____

b. Does the employer require a second U.S. diploma/degree? Select one

If yes, indicate the second U.S. diploma/degree and the major and field of study required _____

c. Is training for the job required? Select one If yes, specify the number of months of training required _____

Indicate the field name of the training required _____

d. Is employment experience required? Select one If yes, specify the number of months of experience required. _____

Indicate the occupation required _____

e. Special requirements: List special skills, licenses/certificates/certifications, and requirements of the job. (If "none" put N/A) _____

f. Working address: Please specify UTSA campus where work will be performed:

Address of the campus: _____

City: _____ County: _____ State: _____ Postal Code: _____

g. Will work be performed in multiple worksites within an area of intended employment or location(s) other than the address listed above? Select If yes, identify the geographic place of employment with as much specificity as possible:

State: _____ County: _____

Provide full address of additional employment: _____

h. Proposed Annual Salary: \$ _____

Any significant changes in job duties and title should be reported to International Scholar Services.

4. Return Travel Guarantee – To be completed by Department Chair/Center Director

In accordance with federal regulations I agree, that UTSA Hiring Department will pay the reasonable costs of return transportation abroad should the applicant for whom this request is submitted be dismissed from the employment before the end of the period of authorized stay in H-1B status. {8 CFR §4.2 (h)(4)(iii)(E)}

 Name

 Title

Part III: UTSA Hiring Department Approval:
Approval of Department Chair:

 Name

 Signature

 Department

 Date

Approval of College Dean (or Vice President, if applicable):

 Name

 Signature

 College (or Administrative Unit)

 Date

Part IV: Approval for Positions Not Listed in the HOP
Approval of Vice Provost for Global Initiatives/Senior International Officer:

 Dr. Lisa J. Montoya

Name

 Signature

 Date

THIS DOCUMENT (Part I – IV) WILL BE KEPT AS PART OF PUBLIC INSPECTION FILE FOR AUDIT BY THE U.S. DEPARTMENT OF LABOR

Part I: H-1B Actual Wage Determination Statement

**To be completed by the UTSA hiring department representative who is responsible for employment/hiring issues.
Payroll information is confidential and should not be shared with H-1B applicant.**

In accordance with the U.S. Department of Labor regulations, documentation on the actual wage rate is required in order to ensure that employers are paying similarly situated employees equivalent salaries. This statement must specify the criteria used by the employer to differentiate among employees included in the same occupation with similar experience and education.

H-1B Employee's Name: _____

Hiring Department: _____

Position Title: _____ Salary Offer: _____

Please check which of the following factors were considered in determining the salary:

- ☐ Degree(s) earned _____
- ☐ Job responsibilities and functions _____
- ☐ Qualifications _____
- ☐ Area of specialization _____
- ☐ Previous work experience _____
- ☐ Comparable rate of pay at similar institutions _____
- ☐ Other (please explain): _____

Please complete information on the second page of this form regarding documentation of similarly employed individuals, if applicable.

- ☐ There are **no** similarly employed individuals in this department.
- ☐ There **are** similarly employed individuals, and information on their qualifications is given on the attached form

I hereby certify that the salary listed above reflects the wage level paid to all other individuals with similar experience and qualifications working in this department. If there is more than one wage paid,
I am able to explain the reason(s) for this differential in wage rates.

Name of person completing form Title

Signature: _____ Date: _____

Name of Department Head or Chair: _____ Title: _____

Signature: _____ Date: _____

Part II: WAGE INFORMATION ON EMPLOYEES EMPLOYED IN THE DEPARTMENT

As required by the U.S. Department of Labor (DOL), please provide the following information on those individuals employed in the department with similar experience and qualifications for the specific employment as the person for whom the H-1B petition will be filed (use additional sheets if necessary):

If the degree chosen is “Other”, please attach a separate explanation of the degree.

Name	Job Title	Highest Degree	Years of Experience	Annual Salary

Part III: EXPLANATION

The UTSA hiring department MUST explain the reason in detail, if the wages of those currently employed individuals with the similar qualifications and experience are more than H-1B applicant in the same department.

Name	Job Title	Annual Salary	If the wage is more than H-1B applicant, explain the reason(s). Attach extra sheets if needed.

Part IV: EMPLOYER LABOR CONDITION STATEMENTS

Please read the following Employer Labor Condition Statements carefully:

1. **Wages:** Pay non-immigrants at least the local prevailing wage or the employer's actual wage, whichever is higher, and pay for nonproductive time. Offer non-immigrants benefits on the same basis as offered to U.S. workers.
2. **Working Conditions:** Provide working conditions for non-immigrants which will not adversely affect the working conditions of workers similarly employed.
3. **Strike, Lockout, or Work Stoppage:** There is no strike, lockout, or work stoppage in the named occupation at the place of employment.
4. **Notice:** A copy of the Labor Condition Application ETA Form 9035 & 9035E will be provided to each nonimmigrant worker employed pursuant to the application. Notice to union or to workers has been or will be provided in the named occupation at the place of employment.

☐ I have read and agree to **all** Labor Condition Statements (1, 2, 3, and 4) above.

Department Name

Name of Department Head or Chair

Title

Signature

Date

H-1B DEEMED EXPORT ATTESTATION MEMORANDUM

To be completed by Export Controls

Email: export@utsa.edu

The hiring department should send this Memorandum with all supporting documents to the UTSA Office of Research Integrity (ORI) - Export Controls

This memorandum verifies that with respect to the technology or technical data The University of Texas at San Antonio will release or otherwise provide access to the H-1B Beneficiary the Office of Research Integrity (ORI) - Export Controls, in collaboration with the UTSA hiring department, certifies that it has reviewed the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR) and has determined that:

1. A license is not required from either the U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data to the foreign person; or
2. A license is required from the U.S. Department of Commerce and/or the U.S. Department of State to release such technology or technical data to the beneficiary and The University of Texas at San Antonio, Office of Research Integrity (ORI) - Export Controls, the hiring department, will prevent access to the controlled technology or technical data by the beneficiary until and unless the university has received the required license or other authorization to release it to the beneficiary. THE DEPARTMENT IS INSTRUCTED TO CONTACT THE OFFICE OF RESEARCH INTEGRITY (ORI) IN ORDER TO SUBMIT THE REQUISITE PAPERWORK FOR THE LICENSE. Please be advised that the process can take 3-6 months. If the license is not granted, the Beneficiary will not be able to work on the project.

NOTE: SHOULD THIS INFORMATION CHANGE, THE HIRING DEPARTMENT IS OBLIGATED TO NOTIFY UTSA INTERNATIONAL STUDENT & SCHOLAR SERVICES.

Office of Research Integrity (ORI) - Export Controls Certification:

Name

Title

Signature

Date

APPENDIX: FILING AND MAILING FEES FOR I-129 PETITIONS

FEES MUST BE PAID BY THE HIRING DEPARTMENT AND EMPLOYEE ACCORDING TO FEDERAL REGULATIONS

I-129 PETITION FEE: \$460.00 - Department must pay this fee. This fee may not be passed on to the employee. Provides Standard Processing. Check with ISSS for current USCIS processing time. Time processing is subject to change without notice.

FRAUD DETECTION & PREVENTION FEE: \$500.00 – Department must pay this fee. This fee may not be passed on to the employee. The employee may not offer to pay this fee.

This is required for all initial filings for each employee, to change the employer, or for new concurrent employment. Not needed for Extensions or Amendments.

A separate check needs to be requested for this fee.

FORM I-907 (OPTIONAL) PREMIUM PROCESSING FEE: \$2,805.00 - Department or employee may pay this fee.

Premium Processing guarantees a response from USCIS within 15 days. If this process is requested, a third check should be requested in the amount of \$2,805.00.

Form I-539: \$470.00(Paper) - Employee pays this fee, \$420.00 if filed Online.

Change/extension of status for H-4 dependents. :

The I-129 instructions can be found at <https://www.uscis.gov/i-129>, Section "Fees," and "Where to File." These instructions may be attached to the PeopleSoft printout to prove the need for the fee.

Premium Processing fee instructions (Form I-907) can be found at <https://www.uscis.gov/i-907> Section "What is the Filing Fee?"

The address for H1B initial/extension petition checks is:

USCIS

Attn: Premium I-129 H-1B (Box 650679)

2501 S. State Hwy. 121; Business Suite 400

Lewisville, TX 75067-8003

Mailing of H-1B petition:

The hiring department is responsible for mailing the H1-B petition to USCIS.

International Student and Scholar Services will provide mailing instructions when petition is picked up.

The H-1B Application Checklist for UTSA Hiring Department

Documents that UTSA Hiring Department Needs to Submit to International Student and Scholar Services

1. H-1B application fee: A check for \$460.00 payable to the US DEPARTMENT OF HOMELAND SECURITY (US DHS) (Paid by employer)
2. Fraud Prevention and Detection Fee: A check for \$500.00 payable to the US DEPARTMENT OF HOMELAND SECURITY (Paid by employer, but not required for H-1B extension and amendment).
3. Premium Processing Fee (optional): Guarantees a response within 15 days of filing from US DHS. A check for \$2,805.00 payable to the US DEPARTMENT OF HOMELAND SECURITY (Paid by employer or employee. If paying from overseas, use a U.S. money order or a bank cashier's check)
4. Departmental Support Letter
5. Worksheet for H-1B petition
6. H-1B Actual Wage Determination Statement
7. Employer Labor Condition Statements
8. H-1B Deemed Export Attestation Memo (Must be certified by ORI)
9. Signatures and Approvals