University of Idaho
International Programs

H-1B PETITION CHECKLIST

Please bring all materials to:
Tammi Johnson, Manager, International Student, Scholar & Faculty Services
International Programs Office (IPO)
LLC, Building #3, Ground Floor
Or mail to: 875 Perimeter Drive, MS 1250, Moscow, ID 83844-1250

This is a checklist of information and documents needed to process an H-1B petition. If the employee is in the U.S. during the process or needs an extension of the current H-1B status, see page 2 for additional required documents.

GETTING STARTED:

☐ **Supplemental Export Control Certification for Form I-129 (NEW as of 2/20/2011)**
Required before the H-1B Petition (I-129) can be submitted to USCIS. Attached to your email with this checklist is a 5-page document that must be reviewed, the questionnaire completed, and the documents signed and sent to the appropriate offices. Please follow the directions carefully as this is a very important step of the H-1B process and could cause significant delays in the processing of the H-1B if steps are missed. For questions regarding Export Control Certification, please contact UI's Export Control Analyst, Sunil Ramalingam at sramalingam@uidaho.edu.

☐ **H-1B Request Form**
See: http://www.webs.uidaho.edu/ipo/intlscholars/documents/h1b_request_form.pdf
- Send completed and signed H-1B Request form to Tammi Johnson, IPO.
- Signatures of Dept. Chair and College Dean or other authorized signatories are required.
- Sections 1 & 2 must be completed by the Foreign Employee (or the AAC, college, or unit must provide all information required to complete the request form).
- Section 3 must be completed by the employing unit.

☐ **Department of Labor Condition Application (LCA) and Certification**
Certification of the LCA by the Department of Labor is required before the H-1B petition can be started. (The LCA was imposed by the 1990 Immigration Act to ensure that US wages are not depressed by the hiring of foreign labor and that foreign workers are not exploited)
- The process takes approximately 7-21 days after IPO receives the H-1B Request form, copies of the advertisement of the position and the ROJD, and position contract. All critical information -- dates of employment, wages, position description and qualifications -- must be provided.
- The LCA is required for all H-1B petitions.
- Copies of the advertisement and ROJD are required for new hires or amended positions.

☐ **Filing Fees**
Determine filing fees needed. See below for fees and let Tammi know if the petition needs to be expedited.
- √ Petition filing fee: $325.00 – Necessary for all H-1B petitions, including extensions.
- √ "Anti-fraud fee": $500.00 - Necessary for all *new* H-1B petitions including change of employer. Not required for H-1B Extension petitions or Amended petitions.
- √ Premium Processing Fee: $1,225 - This will guarantee an answer (not a guarantee of approval) within 15 business days. *Usually not necessary with an H-1B Extension petition unless travel is required.*

Unless otherwise required by the unit, Tammi will process a claim voucher (CV) for the unit and will fax a copy to the contact person immediately for budgetary records. A budget number and 3-digit ORG number (roll-up code) is required in order to process the CV. ***PLEASE NOTE: This budget number will be used for petition fees and FedEx expenses to ship to the USCIS California***

Service Center (as per page 3 of the H-1B Visa Request Form). If the department processes the CV, then see page 4 of this form for template of CV.

PLEASE COLLECT & DELIVER THE FOLLOWING TO TAMMI WHILE THE EXPORT CONTROL CERTIFICATION, LCA AND CHECKS ARE PROCESSING:

- ☐ **"Employer's Letter" to U.S.C.I.S.** – always required for every circumstance.
  See attached Model Letter. The letter must be formatted and addressed as modeled. This letter includes general information about the employer, description of the position, how the Beneficiary (employee) is qualified, dates of employment, and salary.
- ☐ Copy of offer letter and acceptance - *required only for new hires or amended petitions.*
- ☐ Copy of letter from employee accepting employment
- ☐ Copy of employee's C.V./resume – *always required and must be updated*
- ☐ Copy of employee's highest diploma/degree, translated to English if necessary - *Required only for new hires or amended petitions or if new degree has been earned.* Include a copy of the employee's transcript (translated to English) if degree is not in the field of study of the position undertaken and if the degree is not from the U.S.
- ☐ Copy of identity page (photo and biographical page) of employee's passport, and copies of any dependents' photo and biographical pages (spouse and children who will accompany the employee -- *always required, to make sure we have the newest documents)*

FOR EMPLOYEES WHO WILL BE IN THE U.S. DURING THIS APPLICATION PROCESS, PLEASE INCLUDE:

A) For an F-1 Student or F-2 Dependent changing to H-1B Status include:

- ☐ Copies of all previous I-20's (visa eligibility documents)
- ☐ Copy of most recent visa
- ☐ Copy of most recent I-94 (front and back)
- ☐ Copy of Employment Authorization Document (EAD), if applicable

B) For a J-1 Exchange Visitor or J-2 Dependent changing to H-1B Status include:

- ☐ Copies of all previous DS-2019's (visa eligibility documents)
- ☐ Copy of most recent visa
- ☐ Copy of most recent I-94 (front and back)
- ☐ Copy of Employment Authorization Document (EAD), if applicable for J-2s
- ☐ Copy of U.S. Dept. of State letter to BCIS recommending waiver of "Foreign Residence Requirement," if applicable
- ☐ Copy of BCIS Approval of Waiver of "Foreign Residence Requirement," if applicable

C) For an Employee currently in H-1B Status filing for a "Change of Employer" include:

- ☐ Copy of USCIS I-797 Approval Notice granting current H-1B status
- ☐ Copy of most recent visa
- ☐ Copy of most recent I-94 (front and back)
- ☐ Copy of Social Security Card
- ☐ Copy of most recent "pay stub"/salary record (to establish that employee is currently employed)

See next page for more details…

D) For an EXTENSION of current H-1B status include:

- ☐ Copy of BCIS I-797 Approval Notice granting current H-1B status
- ☐ Copy of most recent visa
- ☐ Copy of most recent I-94 (front and back)
- ☐ Copies of employee's employment documents
  - √ Copy of Social Security Card
  - √ Copy of payroll records for the last year – go to VandalWeb and print the pay stubs for the last month (should be two bi-monthly stubs) of employment and a summary of the last year of payroll.

E) For ALL Employees with Dependents (spouse and children) in the U.S. include:

- ☐ BCIS Form I-539 "Change of Status Application", completed by employee and family
  Download from BCIS: http://www.immigration.gov/graphics/formsfee/forms/index.htm
  Please note: Federal mail cannot be forwarded and we need to make sure copies are in your H-1B file, so please use our address for the I-539:
  "In care of: Tammi Johnson, International Programs Office
  PO Box 441250
  Moscow, ID 83844-1250"
- ☐ Check payable to "Department of Homeland Security" in the amount of $290
- ☐ Copies of spouse's and children's most recent visas
- ☐ Copy of spouse's and children's most recent I-94's (front and back)

MODEL EMPLOYER'S LETTER

<Today's Date>

U.S. Citizenship and Immigration Services
California Service Center
24000 Avila Road
2nd Floor, Room 2312
Laguna Niguel, CA 92677

Subject: H-1B petition filed on behalf of Dr/Mr/Ms. _____

Dear Sir or Madam:

This letter is submitted in support of the petition of the University of Idaho to classify Dr/Mr/Ms _____ a citizen of _____, as an H-1B nonimmigrant to serve as a _____at UI. The intended period of employment is from _____ to _____.

The Petitioner

The University of Idaho is a high research activity, land-grant institution committed to undergraduate and graduate-research education with extension services responsive to Idaho and the region's business and community needs. The university is also responsible for regional medical and veterinary medical education programs in which the state of Idaho participates. Founded in 1889, UI enrolls approximately 12,000 students, employs a faculty and staff of approximately 2,500, and has an annual budget of approximately $330,000,000.

The Position Offered

Dr/Mr/Ms_____ is being offered employment as _____ attached to the UI department of _____. This position requires, not only at UI, but throughout academia, at least a masters degree in _____. Specifically, Dr/Mr/Ms _____ will be responsible for _____ _____. His/Her duties will include: 1) _____ 2)_____(list job responsibilities). S/He will work under the supervision of Dr. _____.

The Beneficiary

Dr/Mr/Ms _____ is amply qualified for the position offered. S/He obtained a _____ degree in _____ from the University _____ on __/__/____ Since his/her graduation s/he __ex. has worked as a postdoctoral fellow and instructor. While earning his Ph.D. and later as a postdoctoral fellow he became familiar with XXXXXX. He has published articles, presented his work at professional gatherings, and distinguished himself in the field of XXXXX. S/He received and accepted this offer of employment after a national search for the most qualified candidate. His/Her contributions to this department are very necessary to its success. His/Her training, credentials and experience will prove highly beneficial to our department.

Dr/Mr/Ms _____ has been offered a salary of $_____ per year, with full benefits available to other University of Idaho employees.

Sincerely,

Dr. _____
Department Chair/Director

SAMPLE ONLY
Claim Voucher

CV11111

For internal use only

Date: 02/14/2007

Pay To:
DEPARTMENT OF HOMELAND SECURITY

SEPARATE CHECKS FOR EACH FEE ARE REQUIRED
Please call Tammi Johnson at IPO, 5-8945 to pick up from the Student Accounts Window

SSN: **Student or Employee ID:**

INSTRUCTIONS: Transactions against a claim voucher will be limited to only the specific categories listed in the Administrative Procedures Manual section 60-31.

Questions on transactions should be referred to:
Accounts Payable: (208) 885-3600
FAX: (208) 885-3750

INDEX	FUND	ORGN	ACCT	PROG	ACTV	LOCN	PROJ	$US charged to this FOAPAL
XXX123		555						2050.00
								0.00
								0.00
								0.00
								0.00

Item #	Description	Comm. Code	Cost
1	H1B Petition fee for Dr. XXXXXX		$325.00
2	H1B Petition “Anti-Fraud Fee” for Dr. XXXXX		$500.00
3			$0.00
4	(IF Premium Processing)		$0.00
5	H1B Petition “Premium Processing fee” for Dr. XXXXX		$1,225.00
6			$0.00
7			$0.00
8			$0.00
9			$0.00
10			$0.00
Total			$2,050.00

Contact Person: YOUR DEPT **Phone #:**

Approved-Dept. Head

Approved-Dean or Admin. Officer

Approved-Accounts Payable

Input-Accounts Payable

Original goes to Accounts Payable
1 Copy to Vendor
1 Copy for your records