



H-1B Request

To be completed by Hiring Department

Please type or print clearly. Write "N/A" where appropriate.

Family Name of Beneficiary (employee): _____ First Name: _____

Type of petition (check one):

- Initial employment — First time working at IIT in H-1B status
- Extension — Continuation of previously approved H-1B employment without substantial changes
- Amendment — Substantial change in previously approved H-1B employment
- Concurrent Employment — Will continue H-1B at another place of employment and will work simultaneously at IIT

Information about the position (please answer all questions):

Hiring department: _____ Position title: _____

Full Time Wages per year: _____

Part Time* Wages per hour: _____

*Please consult with the International Center regarding Part Time positions and additional compliance requirements

Non-technical job description: _____

Requested employment dates for this petition (not to exceed three years)*: _____ to _____

*Please note that dates should be in the future and should allow time for processing. See the H-1B Processing Times handout for more information. Requested employment dates must agree with the dates listed in the supporting departmental letter, but they do not need to match the dates provided in the HR or Graduate College appointment letter.

Name of supervisor: _____ Supervisor's title: _____

Phone Number _____ Email _____

Shipping Information:

Select one:

- One way shipping to USCIS only (\$15)
- Shipping to USCIS plus return shipping to IIT (\$30)

Please attach a completed journal voucher (www.iit.edu/policy_procedures/forms/ga_journal_entry_form.xls) for the service selected above.

Department Information:

Departmental coordinator: _____

Phone Number _____ Email _____

H-1B Conditions Acceptance

The department understands that:

- The H-1 may not receive payment from any source other than IIT payroll unless under concurrent H from other employer.
- ANY change in employment, change in % time, title, salary, responsibilities, etc. may require a new H-1 petition to be filed with USCIS and must be reported to the International Center prior to effective date.
- If this individual is dismissed from employment before the ending date of his/her visa status (even for budgetary reasons), this department is responsible for paying the reasonable costs of return transportation to his/her last place of foreign residence.
- The department is required to notify the International Center when this individual's employment with the university terminates.

As Dept/Administrative Unit Head, I understand the conditions as stated above (All appointments)

Signature: _____ Date: _____

Signature of Human Resources (Staff appointments only): _____

Signature of Dean (Faculty/Research appointments only): _____

Signature of Director for Institute of Food Safety and Health appointments: _____

International Center

Illinois Institute of Technology
3201 South State Street
MTCC, Room 106
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Fax: 312.567.3687



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Prevailing Wage Worksheet

This form should be completed based on information for the position, not the individual. This information is required for the International Center to obtain the prevailing wage from the U.S. Department of Labor. Please complete all fields and use "N/A" where appropriate.

Is the position covered by a Collective Bargaining Agreement (CBA)? Yes No

Position title: _____

Number of hours of work per week: _____ Is position eligible for overtime? _____

Hourly work schedule: From _____ to _____

Title of worker's immediate supervisor: _____

Description of the duties to be performed: This must be specific. You may include technical terms.

Does this position include supervisory (non-student) duties:

- No
- Yes If yes, # of employees worker will supervise: _____
If yes, indicate the level of the employees to be supervised: Subordinate Peer

Will travel be required in order to perform the job duties:

- No
- Yes If yes, provide details of the required travel, including location, frequency, and nature: _____

Minimum degree required:

- Bachelor's Master's Doctorate/PhD Other (specify JD, MD, etc.): _____

Major field(s) of study required: _____

Is a second U.S. diploma/degree required?

- No
- Yes If yes, list the degree and major/field(s) of study: _____

Is employment experience required?

- No
- Yes If yes, specify the # of months and the occupation required: _____

Is training for the job opportunity required? (This would not include on-the-job training, but a special training program.)

- No
- Yes If yes, specify the # of months and field(s)/name(s) of training required: _____

Address where person will work:

Street: _____

City: _____ State: _____ County: _____ Zip Code: _____

Will work be performed at multiple worksites? Yes No

If yes, list the complete addresses of all anticipated worksites. You do not need to list additional on-campus worksites, only those that are off campus. Please attach list of addresses.

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Statement of Actual Wage

In order to process this H-1B application, we must determine the actual wage being paid to all other individuals with similar experience and qualifications as the H-1B nonimmigrant at the place of employment. Please provide the necessary information for all employees in your department (or in a subunit of the department, if applicable) who are similar to the H-1B in terms specified below.

No one in this unit is similar to the prospective H-1 in terms of education, experience and job responsibilities.

Individuals in the positions listed below are similar to the prospective H-1B nonimmigrant in terms of all of the following:

Same degree, same or related major field, same years post-graduation work experience, similar duties and responsibility, even if job title is different. Include U.S. workers and nonimmigrants in the assessment, but not the individual to whom the H-1B application pertains.

Position Title (no names)	Salary

Statement of Working Conditions

I certify that employing this H-1B nonimmigrant will not adversely affect the working conditions of workers similarly employed in the area of intended employment in regard to such matters as hours, vacation periods and fringe benefits. In the event that a complaint is filed, I will be able to show that the working conditions are similar to working conditions which preceded the employment of the H-1B nonimmigrant.

Signature of Department Head _____ Date _____

Name of Department _____

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H-1B Employment Letter

Sample

Please print on Departmental Letterhead Stationary

Date

Department of Homeland Security
U.S. Citizenship and Immigration Services
California Service Center
Laguna Niguel, CA 92607

Re: H-1B Petition of Illinois Institute of Technology
Department of Nuclear Industry
On behalf of **DOE, John**

Dear Examiner:

This letter is in support of the petition to classify Dr. Doe, a Finnish national, as an H-1B nonimmigrant in a specialty occupation, to serve as an Assistant Professor in our department on a temporary basis. The intended period of employment is three years (*this must match the period of time requested below and in the H-1B request form completed by the Hiring Department*).

The Position Offered (*To demonstrate the degree requirements and duties of position. Must match information on Prevailing Wage Form*)

Dr. Doe is being offered temporary employment as an Assistant Professor with expertise in foreign nuclear teaching methods, to serve as coordinator of basic nuclear courses and supervisor of the teaching assistants who will serve as instructors of these courses. The position of Assistant Professor requires a Ph.D. degree which is a standard requirement for this type of position. In addition, we expect the holder of the position to advise undergraduate majors in Nuclear Industry and to possess the enthusiasm and energy to motivate students and attract them into the program. Finally, we expect knowledge of contemporary methods and business practices of the countries with extensive nuclear facilities. These are all areas necessary for growth of the program.

The Beneficiary (*To demonstrate that the applicant meets the minimum requirements for the position.*)

Dr. Doe received his Ph.D. from the University of Southern California in 1988 in nuclear technology, with a specialization in radioactivity reactions and a dissertation on nuclear technology teaching. A copy of his degree and transcripts are included. His work before and since the Ph.D. has included an adjunct professorship in the School of Medicine at Indiana University and a position as nuclear appliances consultant for the Nuclear Home Appliances Society. His scholarly publication and participation in professional conferences since the Ph.D. has been impressive, including articles in Radioactivity Today (The Nuclear Home) and papers read at national conventions of the Fusion Association and the American Council on the Creation of Nuclear Appliances. He has served as annotator and co-editor for Nuclear textbooks with publishers Physics Inc. and Wiley Reactions Inc. His energy and enthusiasm have been well attested. These credentials make Dr. Doe especially well suited to assist us in strengthening our undergraduate program.

Terms of Employment

We intend to employ Dr. Doe for a three-year period, from October 1, 2005 to September 30, 2008 in the position offered. A shorter period would not provide the necessary momentum and continuity for program development. We understand the temporary scope of Dr. Doe's employment and have informed him of this condition. He is being compensated at the rate of \$37,235 per year. In the event that we are unable to continue his employment, we will pay the reasonable cost of Dr. Doe's transportation back to Finland.

Sincerely,

Chair, Department of Nuclear Industry

(Do not type what is written in italics; these are instructions for the hiring department)

Illinois Institute of Technology Deemed Export Certification

Applicable to H-1B, H-1B1, L-1 and O-1A Petitions Only

Current federal immigration regulations require that Illinois Institute of Technology (IIT) certify to the U.S. Citizenship and Immigration Services (USCIS) that it complies with U.S. Export Control Regulations with respect to the employment activities of certain foreign workers (hereinafter referred to as "Scholar"). In order to assist IIT with this certification requirement, as Scholar's designated supervisor or sponsor, you must provide the information below as appropriate, return the fully completed form to IIT's International Center and maintain a copy of this completed form in your files. **In addition, you must update this form in the event of any changed circumstance(s) concerning the Scholar's use of export controlled technology or data in his/her employment with IIT.**

SCHOLAR INFORMATION:

Scholar's Name: _____ A#: _____

Country of Citizenship: _____

Country of Permanent Residence: _____

Job Title: _____ Department: _____

With respect to the technology or technical data IIT will release or otherwise provide access to the Scholar, the Department certifies that it has reviewed the Export Administration Regulations (EAR), and the International Traffic and Arms Regulations (ITAR) and determined for the Scholar:

DEPARTMENT DETERMINATION (CHECK ONLY ONE):

1. The Scholar **will not participate** in research at IIT that is covered by the list of technologies and services contained in: (a) the State Department's "United States Munitions List" ITAR Part 121; or (b) the Commerce Department's "Commodity Control List" EAR Part 774.
2. The Scholar **will participate** in research at IIT that is covered by the list of technologies and services contained in: (a) the State Department's "United States Munitions List" ITAR Part 121; or (b) the Commerce Department's "Commodity Control List" EAR Part 774.

The State Department's "United States Munitions List" may be found at the following website:

https://www.pmddtc.state.gov/regulations_laws/documents/official_itar/2013/ITAR_Part_121.pdf

The Commerce Department's "Commerce Control List" may be found at the following website:

<http://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>

If you have any questions about completing this form, please contact IIT's Office of Sponsored Research and Programs at (312) 567-3035.

As background information, please see the information on the reverse side of this certification which is drawn from the I-129 Form and its instructions, and will be what the International Center completes as part of the employment process based on the information submitted by the Department. It also contains information on Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR).

I certify, based on my review, that I have indicated the applicable box for the Scholar.

Typed Name and Signature: _____ Date: _____

Title: _____ Phone Number: _____ E-mail Address: _____

Acknowledgment by Department/Administrative Unit Head

Typed Name and Signature: _____ Date: _____

Background Information for Use in Completion of Deemed Export Certification for H-1B Petitions

The following is for informational purposes only while completing the certification on the previous page. The information you provide enables IIT's International Center to complete portions of the USCIS Form I-129 as part of the employment process for foreign national employees on an H-1B visa.

Deemed Export Attestation Instructions for Form I-129 Effective 10/07/2011

These USCIS instructions are aimed at International Center staff, but do provide references to source material on EAR and ITAR. While these instructions provide general guidance, the law is found in the regulations and statutes themselves. Please consult your campus Export Control Officer for specific guidance. For example, the first paragraph on "U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons" does not make it clear that certain foreign persons in the United States may access some controlled technology or technical data, depending on the foreign national's country and the technology or data. Thus, it is important to work with your campus Export Control Officer in resolving export control and deemed export issues.

U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons. The Export Administration Regulations (EAR) (15 CFR Parts 770-774) and the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120-130) require U.S. persons to seek and receive authorization from the U.S. Government before releasing to foreign persons in the United States controlled technology or technical data. Under both the EAR and the ITAR, release of controlled technology or technical data to foreign persons in the United States—even by an employer—is deemed to be an export to that person's country or countries of nationality. One implication of this rule is that a U.S. company must seek and receive a license from the U.S. Government before it releases controlled technology or technical data to its nonimmigrant workers employed as H-1B, L-1 or O-1A beneficiaries.

Requirement to Certify Compliance with U.S. Export Control Regulations. The U.S. Government requires each company or other entity to certify that it has reviewed the EAR and ITAR and determined whether it will require a U.S. Government export license to release controlled technology or technical data to the beneficiary. If an export license is required, then the company or other entity must further certify that it will not release or otherwise provide access to controlled technology or technical data to the beneficiary until it has received from the U.S. Government the required authorization to do so. The petitioner must indicate whether or not a license is required on Page 6, Part 7 of Form I-129.

Controlled Technology and Technical Data. The licensing requirements described above will affect only a small percentage of petitioners because most types of technology are not controlled for export or release to foreign persons. The technology and technical data that are, however, controlled for release to foreign persons are identified on the EAR's Commerce Control List (CCL) and the ITAR's U.S. Munitions List (USML). The CCL is found at 15 CFR Part 774, Supp. 1. See http://www.access.gpo.gov/bis/ear/ear_data.html#ccl. The USML is at 22 CFR 121.1. See http://www.pmdtc.state.gov/regulations_laws/itar.html. The EAR-controlled technology on the CCL generally pertains to that which is for the production, development, or use of what are generally known as "dual-use" items. The ITAR-controlled technical data on the USML generally pertains to that which is directly related to defense articles.

The U.S. Department of Commerce's Bureau of Industry and Security administers the CCL and is responsible for issuing licenses for the release to foreign persons of technology controlled under the EAR. The U.S. Department of State's Directorate of Defense Trade Controls (DDTC) administers the USML and is responsible for issuing licenses for the release to foreign persons of technical data controlled under the ITAR. Information about the EAR and how to apply for a license from BIS are at www.bis.doc.gov. Specific information about EAR's requirements pertaining to the release of controlled technology to foreign persons is at www.bis.doc.gov/deemedexports. Information about the ITAR and how to apply for a license from DDTC are at www.pmdtc.gov. Specific information about the ITAR's requirements pertaining to the release of controlled technical data is at http://www.pmdtc.state.gov/faqs/license_foreignpersons.html.

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Hiring Department Checklist

Please submit one copy (no staples) of the items below to the International Center:

A. Beneficiary Forms and Supporting Documents

Please refer to the H-1B Worker's Checklist

B. Department Forms and Supporting Documents

- H-1B Request Form — Completed by Hiring Department
- Prevailing Wage Determination Form
- Department of Labor Compliance and Actual Wage Statement
- Position Description
- Employment letter on departmental letterhead to support the petition (see sample for suggested format)
- Deemed Export Certification
- Completed [Journal Voucher](#) for Shipping Expenses (see H-1B Request Form for options)

C. Application Fees*

Submit a [Request for Check](#) to Accounts Payable for the proper fees listed below:

- \$460 processing fee — required for every H-1B application
- \$500 anti-fraud fee — required for all initial H-1B requests (not extensions or amendments)
- \$1,225 optional premium processing fee

Be sure to indicate the name of the H-1B worker on the Request for Check. Ask Accounts Payable to call the International Center at 7-3680 after the check(s) has been prepared. The International Center will then directly pick up the check(s) from Accounts Payable.

* Each fee requires a separate check or money order in US dollars payable to the Department of Homeland Security. The processing fee and the anti-fraud fee must be paid by the department with an institutional check. You cannot ask for reimbursement from the H-1B worker. The premium processing fee is the only fee that may be paid by the employee, but certain restrictions apply. Contact the International Center for more information.

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