



## REQUEST PACKET FOR H-1B STATUS

The H-1 visa status is a non-immigrant visa status used to permit a foreign national to enter the United States temporarily (initial request for a maximum of 3 years; can be extended 3 more years for a total of 6 years) for the purpose of employment in a position which requires specialized training/knowledge. To qualify for this category, the position must *require at least* a bachelor's degree in a field that is related to the position offered as a minimal entry-level requirement.

The Immigration Act of 1990 and the illegal Immigration/Immigrant Responsibility Act of 1996 greatly changed the documentation requirements for H-1 status. The current regulations require the filing of a Labor Condition Attestation with the U.S. Department of Labor prior to the filing of any H-1B petition. The entire H-1B process can take up to six (6) months to complete. Therefore, please allow ample lead time to process an H-1 petition. Federal law mandates that the foreign national is *NOT* permitted to begin a new position until it is duly approved and the hiring institution is notified by U.S. Citizenship and Immigration Services in writing.

***PLEASE NOTE! As of June 2001, you can have your H-1 petition expedited by paying an additional Premium Processing Fee of \$1,000.00. The USCIS (United States Citizenship and Immigration Services) guarantees that your petition will be processed within 15 days from time of acceptance. This means that if the petition is properly filed, a decision on the petition will be made in 15 days or less. If the petition is sent back for additional or lacking documentation, the decision will be made within 15 days from when the response to the request for evidence is received by the USCIS. Please make the check payable to: "United States Citizenship and Immigration Services".***

***ALSO NOTE! As of March 8, 2005, President Bush signed into law a new H-1 Fraud Prevention and Detection fee of \$500.00. This MUST be paid by the employer. This fee cannot in any way be passed down to the employee! The check must be separated from all other checks and be make payable to "United States Citizenship and Immigration Services".***

This packet is an internal Marshall University document designed by the Center for International Programs to reflect Marshall University policy and to secure necessary information to satisfy the requirements of the Code of Federal Regulations governing the H-1 non-immigrant visa status. Therefore, precise following of the enclosed instructions is essential for a timely, accurate and delay-free filing for the temporary non-immigrant foreign national worker that your department desires to employ. This information also serves to provide Marshall University's Responsible Officer/Primary Designated School Official (RO/PDSO) with the needed information to complete all the necessary U.S. Department of Labor and USCIS related paperwork. This information, then, becomes the basis of all the documentation filed with the various federal agencies. Therefore it is essential that the information be as accurate as possible.

The person who has hiring authority for your department/division should complete Part A-Department/Division Section of the H-1 Request Packet (page 4). The prospective employee will need to complete Part B-Employee Section of the H-1 Request Packet (page 12). The entire packet (Department and Employee Sections) as well as all supporting documentation (see checklist on next page) should be returned as one package to:

**Dr. Clark Egnor, Responsible Officer & Primary Designated School Official**  
**Executive Director**  
**Center for International Programs**  
**Marshall University**  
**Huntington, West Virginia 25755**  
**Tel: 304-696-6265**  
**Fax: 304-696-6353**  
**Email: [egnor@marshall.edu](mailto:egnor@marshall.edu)**

The University has retained the Law Office of BRAVERMAN & LIN temporarily to assist in the filing of H-1B petitions. BRAVERMAN & LIN will represent the university in the preparation and filing of the H-1B petitions.

**Michael W. Lin, Esquire  
BRAVERMAN & LIN, P.C.  
4001 N. 9<sup>th</sup> Street, Suite 222  
Arlington, VA 22203  
TEL: 703 248 1585 (O)  
703 966 2901 (C)  
FAX: 703 243 1494  
E-mail: ML@OCHO.COM**

Upon receiving the completed package from your department/division, the RO/PDSO will forward the package to BRAVERMAN & LIN. The necessary government forms will be prepared and sent to the hiring official for final review and signatures. Additionally, one copy (of the two required by law) of an internal posting notice will be forwarded to your department as part of the Labor Certification Attestation to be posted in a conspicuous place for ten (10) days as required by the U.S. Department of Labor. The other will be placed in the Human Resource Services' Position Posting Book to be available to the public for inspection.

**MARSHALL UNIVERSITY  
REQUEST FORM FOR H-1B PETITION  
CHECKLIST**

***Required from the Department/Division***

<b># of copies/checks needed</b>		<b>Description of Documents Needed</b>
<b>New Petition</b>	<b>Petition Extension</b>	
<b>1</b>	<b>1</b>	<b>Part A – Department/Division Section; Part B – Prospective Employee Section</b> – needed to determine the prevailing wage for the position and to file Form ETA9035 with the US Department of Labor as well as the official US Citizenship and Immigration Services petition.
<b>2</b>	<b>1</b>	<b>Contract and/or Position Offer Letter from Department/Division</b> – Letter must include job description, position title and salary.
<b>2</b>	<b>1</b>	<b>Letter in Support of H-1B petition</b> – letter must outline terms of employment, including salary, educational and experiential requirements of the job, as well as qualifications of the foreign national (please refer to sample letter enclosed on the following page)
<b>1</b>	<b>1</b>	<b>Petition Application Fee - \$190</b> made payable to “US Citizenship and Immigration Services” (additional fee of \$200 for the first dependent member, if the dependent is in the United States under another non-immigrant visa status)
<b>1</b>	<b>1</b>	<b>Fraud Prevention and Detection Fee - \$500</b> made payable to “US Citizenship and Immigration Services” (MUST BE PAID BY EMPLOYER AND CANNOT BE PASSED ON TO EMPLOYEE)
<b>1</b>	<b>1</b>	<b>Premium Processing Fee - \$1,000</b> made payable to “US Citizenship and Immigration Services” (optional)

***Forms provided by the University’s Responsible Officer:***

<b># of copies needed</b>		<b>Description of Documents Needed</b>
<b>New Petition</b>	<b>Petition Extension</b>	
<b>2</b>	<b>1</b>	<b>Form I-129 with H Supplement</b> – official US Citizenship and Immigration Services Petition application form (this form is prepared after receiving both Part A and Part B of the MU Request Form).
<b>2</b>	<b>2</b>	<b>Form ETA9035</b> – Labor Condition Attestation certification by the US Department of Labor (this form is prepared and filed after receiving Part A of the MU Request Form and after receiving the Prevailing Wage Request from the West Virginia State Workforce Agency).

**H-1B REQUEST FORM – PART A**  
**To Be Completed by the Hiring Department**

**NAME OF EMPLOYEE:**

**M.U. DEPARTMENT/DIVISION NAME:**

**DEPARTMENT/DIVISION ADDRESS:** \_\_\_\_\_  
*Street address* *City/State* *Zip Code*

**FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): #** \_\_\_\_\_

**HIRING OFFICIAL'S NAME/TITLE:**

**DEPARTMENT/DIVISION CONTACT PERSON:**

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**LOCATION OF POSITION:**       **ON CAMPUS**  
    **OFF CAMPUS**

**IF THE JOBSITE IS DIFFERENT FROM THE ADDRESS OF THE DEPARTMENT/DIVISION, PLEASE PROVIDE THE STREET ADDRESS OF THE JOBSITE:**

\_\_\_\_\_  
*Street address* *City/State* *Zip Code*

**EMPLOYEE'S CURRENT STATUS:**

- New employment (including current employee in another non-immigrant status)
- Extension of current employee already in H-1B status
- Change to Marshall as employer (new employee already in H-1B status)
- Add to Marshall as additional employer (employee already in H-1B status and will work for Marshall University in addition to his/her present H-1B position)

**PERIOD OF THE INTENDED EMPLOYMENT:**      Start: \_\_\_/\_\_\_/\_\_\_      End: \_\_\_/\_\_\_/\_\_\_

*(The maximum period of initial petition request allowed by the regulations is 3 years. An extension of 3 more years may be requested, which will give the employee a total H-1B period of 6 years)*

(Continued From Page 4)

**TYPES OF EMPLOYMENT:**

Full Time

Part Time

Hrs/week

%FTE

**JOB TITLE:**

**JOB DESCRIPTION: (Be brief yet accurate)**

**MINIMUM EDUCATION REQUIRED: TYPE OF DEGREE: MAJOR:**

**MINIMUM EXPERIENCE REQUIRED: HOW MANY YEARS?**

**LIST ANY OTHER SKILL, LICENSES, OR SPECIALIZED KNOWLEDGE REQUIRED FOR JOB:**

**SALARY OFFERED:**

**IF ANY FOREIGN LANGUAGE SKILL REQUIRED FOR THIS POSITION? IF YES, EXPLAIN:**

**IS ANY LICENSE REQUIRED TO PERFORM THE DUTIES FOR THIS POSITION? IF YES, LIST THE LICENSE(S).**

**DOES THE RESPONSIBILTY OF THE POSITION INCLUDE SUPERVISORY DUTIES? IF YES, HOW MANY PEOPLE DOES THIS POSITION SUPERVISE?**

**TITLE OF THE POSITION'S IMMEDIATE SUPERVISOR:**

**ARE YOU FILING THIS PETITION THROUGH PREMIUM PROCESSING?**

*(If you choose premium processing, there will be an additional fee of \$1,000.00)*

**SAMPLE DEPARTMENT/DIVISION  
LETTER OF SUPPORT OF H-1B PETITION**

<b>Components of the Letter</b>	<b>Sample Letter Wording</b>
<p><i>Use this actual address</i> →</p>	<p>District Director Vermont Service Center US Citizenship and Immigration Services 75 Lower Welden Street St. Albans, VT 05479-0001</p> <p>RE: I-129 H-1B VISA PETITION FOR &lt;NAME OF EMPLOYEE&gt;</p> <p>Dear District Director:</p>
<p><i>Terms and conditions of the H-1B employment</i> →</p>	<p>This letter is being submitted in support of the H-1B visa petition filed by Marshall University on behalf of &lt;NAME&gt;, a &lt;NATIONALITY&gt; foreign national. Marshall University intends to employ &lt;NAME&gt; as a &lt;POSITION TITLE&gt; for the &lt;DEPARTMENT/DIVISION&gt; under H-1B visa status for a three year period, beginning &lt;STARTING DATE&gt;, or as soon thereafter as possible. &lt;NAME&gt; will be compensated at the annual salary of &lt;SALARY AMOUNT&gt;, contingent upon continued funding for the position.</p>
<p><i>Give Background Information on Department/Division</i> →</p>	<p>Marshall University is an institution of higher education as defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a). Marshall University's &lt;DEPARTMENT/DIVISION&gt; has been engaged in the development of equipment and materials for the space industry since 1957. At present, &lt;DEPARTMENT/DIVISION&gt; is developing a widget that will go to the moon. Our &lt;DEPARTMENT/DIVISION&gt; is widely recognized as a leader in this field.</p>
<p><i>Provide description of the job duties and responsibilities, as well as the job requirements.</i> →</p>	<p>The &lt;DEPARTMENT/DIVISION&gt; has an opening for an &lt;POSITION TITLE&gt; to teach and assist in ongoing widget research and development. The position requires a &lt;TYPE OF DEGREE&gt; in &lt;MAJOR FIELD OF STUDY&gt; and at least &lt;NUMBER YEAR OF EXPERIENCE&gt; years of experience in widget design.</p>
<p><i>Outline foreign national's education and experience</i> →</p>	<p>&lt;NAME&gt; received his/her &lt;DEGREE&gt; in &lt;FIELD&gt; from &lt;DEGREE INSTITUTION&gt; in mm/yy. He/she was an honor student and received numerous academic awards. He/she has served as a technical advisor to the British program for the past five years. The &lt;DEPARTMENT/DIVISION&gt; currently has immediate need to require the services of an individual to work in the position of &lt;POSITION TITLE&gt;.</p>
<p><i>Connect the foreign national's background with the job requirements. Give the job title, description, and a reason for his/her temporary employment (e.g. the need of the project, etc)</i></p>	<p>Marshall University respectfully requests that your office favorably adjudicates this case and approves the visa petition, as &lt;NAME&gt; has the necessary qualifications to work as &lt;POSITION TITLE&gt;.</p> <p>Marshall University understands that it is obligated to file an amended petition should ma material change in the H-1B employee's position occurs.</p> <p>Marshall University attests that it has offered to &lt;NAME&gt; benefits and eligibility for benefits provided as compensation for services on the same basis, and in accordance with the same criteria, as it offers to U.S. workers.</p> <p>Marshall University further acknowledges that it is and will be responsible for reasonable transportation cost of sending &lt;NAME&gt; to his/her home country should his/her employment is prematurely terminated prior to the expiration of her H-1B authorized stay granted based on this petition filing.</p>

**IDENTIFICATION OF SIMILARLY EMPLOYED WORKERS  
(CONFIDENTIAL – FOR DEPARTMENT OF LABOR PUBLIC ACCESS FILE)**

**POSITION TITLE:**

*In the space below, list all employees in your department/division who hold the above listed title AND:*

- *Have the same type of duties and responsibilities as the beneficiary of this petition, AND*
- *Have qualifications, education, and experience similar to the beneficiary of the petition.*

**USE ADDITIONAL PAGES IF NECESSARY**

	<b>NAME</b>	<b>START DATE</b>	<b>SALARY</b>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

**Further, I attest to the following:**

- ***The H-1B non-immigrant will be paid the higher of either the ACTUAL WAGE or the PREVAILING WAGE.***
- ***The employment of this individual will not adversely affect working conditions of the individuals named above.***
- ***There is no strike, lockout or work stoppage in this department/division for the position indicated above. Should such an event occur, the department/division will notify the University's Responsible Officer.***

**AUTHORIZED HIRING OFFICIAL'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_**

**WAGE DETERMINATION SYSTEM  
(For Public Access File)**

*Please indicate system/factors used to determine wages paid individuals listed on the previous page. Response should be detailed include copies of any applicable university salary/grade scales.*

**FACTORS CONSIDERED (check all that apply)**

**EXPERIENCE**

- Length of experience
- Breadth of experience
- Type of experience

**QUALIFICATIONS**

- Level/subject areas of degrees
- Skills, abilities, specific expertise
- Specialized knowledge
- Additional Qualifications

**JOB RESPONSIBILITY/FUNCTION (specify)**

- 
- 

**OTHER FACTORS (specify)**

- 
- 

**NARRATIVE DESCRIPTION**

(How factors affect placement on wage range indicated below)

**WAGE RANGE FOR THIS POSITION (Fill in actual wage rates from salary information from previous page)**

*Lowest* ..... *Midpoint* ..... *Highest*

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**DETERMINATION OF ACTUAL WAGE  
(For Public Access File)**

*Please use the system/factors used to determine wage described on the previous page, indicate how wages were determined for the employee. Please describe how the employee's qualifications were used to determine his/her wage.\*\**

*\*\* The actual wage is the wage rate paid by the employer to all other individuals with similar experience and qualifications for the specific employment in question. In determining such wage level, the following factors may be considered: Experience, qualifications, education, job responsibility and function, specialized knowledge, and other legitimate business factors. Where there are other employees with substantially similar experience and qualifications in the specific employment in question--i.e., they have substantially the same duties and responsibilities as the H-1B nonimmigrant--the actual wage shall be the same amount as you pay to these other employees.*

**FACTORS CONSIDERED (check all that apply)**

**EXPERIENCE**

- Length of experience
- Breadth of experience
- Type of experience

**QUALIFICATIONS**

- Level/subject areas of degrees
- Skills, abilities, specific expertise
- Specialized knowledge
- Additional Qualifications

**JOB RESPONSIBILITY/FUNCTION (specify)**

- 
- 
- 

**NARRATIVE DESCRIPTION**

(How factors affect placement on wage range indicated below)

**OTHER FACTORS (specify)**

- 
- 
- 

**WAGE RANGE FOR THIS POSITION (Fill in actual wage rates from salary information from previous page)**

*(Fill in blanks with wage rates from previous page. Place an X on the dotted line below where the employee's salary fall in the range)*

**Lowest** ..... **Midpoint** ..... **Highest**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

## DECLARATION BY THE DEPARTMENT

The Department/division will comply with the following regulations during the H-1B application process and during the employment of the above-named foreign national under the terms of H-1B status.

1. The department/division has allocated the necessary funds to convert the salary of the employee for the duration of his/her employment under the terms of this petition.
2. The department/division will notify the University's Responsible Officer if the terms of the employment change during the validity period of this H-1B petition so an amended petition can be filed with the US Citizenship and Immigration Services. Changes requiring US Department of Labor and/or US Citizenship and Immigration Services notification include, but are not limited to, changes in the hours worked, significant changes in job duties, changes in wages (other than regularly scheduled merit increases), any change in location of the position, or transfer of employee's position to and/or from another department/division that has a different federal employer identification number.
3. The department/division agrees to pay the reasonable return costs of the employee's return trip to his/her home country in the event the department/division terminates his/her employment before the employment end date approved by the US Citizenship and Immigration Services.
4. The department/division agrees to pay the employee at the rate as required by the approved petition, even if the employee is being placed in a nonproductive status (i.e. benching).
5. The department/division agrees to immediately notify the University's Responsible Officer if the employee is no longer employed by the department/division. The University must promptly notify the US Citizenship and Immigration Services of the termination once the employee is no longer employed.
6. The department/division must ask the employee to contact the University's Responsible Officer, or its respective counsel, prior to the embarkation of the employee's departure from the United States. The purpose of this is to make sure that the employee will have the paperwork necessary to apply for an H-1B visa, if needed, in order for the employee to be re-admitted to the United States as H-1B.

### DEPARTMENT APPROVALS:

Requestor/Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Personnel Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Department/Division Chair/Director: \_\_\_\_\_ Date: \_\_\_\_\_

***Please return this completed request packet to:***

**Dr. Clark Egnor, Responsible Officer & Primary Designated School Official**  
**Executive Director**  
**Center for International Programs**  
**Old Main, Room 320**  
**Tel: 304-696-6265**  
**Fax: 304-696-6353**  
**Email: [egnor@marshall.edu](mailto:egnor@marshall.edu)**

**H-1B REQUEST FORM – PART B**  
**To Be Completed by the H-1B Prospective Employee**

**NAME OF EMPLOYEE:** (Family Name, First, Middle) \_\_\_\_\_

**DATE OF BIRTH:** (Month, Day, Year)

**COUNTRY OF BIRTH:**

**GENDER:**  Male  
 Female

**PROVINCE OF BIRTH:**

**COUNTY OF CITIZENSHIP:**

**U.S. SOCIAL SECURITY #:**

**CURRENT ADDRESS IN THE UNITED STATES:**

**TELEPHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_  
(list additional contact number, if applicable)

**FOREIGN ADDRESS:**  
(include street address, Apt #, city, state, country, zip code)

**PASSPORT NUMBER:**

**DATE ISSUED:**

**DATE EXPIRED:**

**CURRENT IMMIGRATION STATUS AS LISTED ON THE I-94:**

**DATE OF LAST ENTRY TO THE U.S.:**

**I-94 NUMBER:**

**EXPIRATION DATE AS SHOWN ON THE I-94:**

**H-1B PROCESSING** (Select the manner in which you plan to obtain your H-1B status):

**At U.S. Embassy/Consulate located:** \_\_\_\_\_ (City)  
\_\_\_\_\_ (Country)

**Change of status to H-1B from another visa status**

**H-1B extension** (check this option if prospective employee is already in the U.S. working under H-1B status)

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**PRIOR H-1B STATUS AND IMMIGRATION RELATED QUESTIONS:**

Has anyone ever filed an H-1B visa petition for you?  No  Yes

(If yes, explain) \_\_\_\_\_

Have you ever been denied H-1B status?  No  Yes

(If yes, explain) \_\_\_\_\_

Have you ever held any H status?  No  Yes

(If yes, please list all periods of your stay in any H status [e.g. H-1B, H-4, H-2B, H-3], starting from the very first day of entering the US under that H status.)

Period of Stay:

Have any of your family members ever held any H status?  No  Yes

(If yes, please specify the name and relationship of your family member. List all periods of his/her stay in any H status [e.g. H-1B, H-4, H-2B, H-3], starting from the very first day of entering the US under that H status. Use additional sheet if needed)

Name:

Relationship:

Period of Stay:

**IMMIGRATION RELATED QUESTIONS**

Have you ever been ordered deported, excluded or removed from the United States?

No  Yes (If yes, explain) \_\_\_\_\_

Have you ever been arrested, charged, cited, or convicted for violation of any law, other than traffic related offenses?

No  Yes (If yes, explain) \_\_\_\_\_

Have you ever been employed in the U.S. since last admitted or granted an extension or change of status? Please note that working without permission will render you ineligible for change or extension of non-immigrant status.

No  Yes (If yes, please list your employment history in page 16)

(Continued From Page 13)

## PETITIONS FOR PERMANENT RESIDENCY

Has a petition for permanent residency ever been filed on your behalf?

- No     Yes, please explain:

## J-1 STATUS

Have you ever held a J-1 status?

- No
- Yes. Did/do you have a two year foreign residency requirement?
- No
- Yes

Have you fulfilled or obtained a waiver of this requirement?

- Yes (attach a copy of the waiver)
- No (Please explain):

## DEPENDENTS

***The I-129 petition only covers your status. Your family members must complete and submit a separate application to change and/or extend their nonimmigrant visa status.***

*Please inform Marshall University's RO/PDSO of additional family members needing to change status to H-4. Form I-539 (Application to Change/Extend Non-immigrant Status) will be completed for any members of your family currently in the United States in another non-immigrant visa status. Please provide to the University's RO/PDSO the following required documentation:*

- Copies of passports and I-94 cards
- Complete Dependent Family Personal Information Sheet per family member
- Check or money order in the amount of \$200.00 payable to the "US Citizenship and Immigration Services" for the first family member, if in the United States. There is no additional fee for additional dependents.
- Birth Certificate and/or Marriage Certificate to establish family relationship.

*Remember, only a wife/husband/son/daughter \*\* is considered a dependent for immigration purpose. Mothers/fathers/nieces/nephews, for example, do not qualify as dependents. ONLY documentation for your immediate family members APPLYING FOR H-4 status should be included with this petition. (\*\* dependent child will lose his/her respective dependent non-immigrant status once s/he reaches the age of 21. Please consult with a legal counsel if your child is about to age out)*

**IF YOU DO NOT HAVE ANY FAMILY MEMBER WHO IS SEEKING TO CHANGE OR EXTEND HIS/HER NON-IMMIGRANT STATUS TO H-4, SKIP TO PAGE 16.**

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**DEPENDENT FAMILY MEMBER PERSONAL INFORMATION SHEET**

(use one sheet per family member)

**NAME OF FAMILY MEMBER:** (Family Name, First, Middle) \_\_\_\_\_

**DATE OF BIRTH:** (Month, Day, Year)

**COUNTRY OF BIRTH:**

**PROVINCE OF BIRTH:**

**U.S. SOCIAL SECURITY #:**

**RELATIONSHIP TO YOU:**

**CURRENT ADDRESS IN THE UNITED STATES:**

**TELEPHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_  
(list additional contact number, if applicable)

**FOREIGN ADDRESS:**  
(include street address, Apt #, city, state, country, zip code)

**PASSPORT NUMBER:**

**DATE ISSUED:**

**DATE EXPIRED:**

**CURRENT IMMIGRATION STATUS AS LISTED ON THE I-94:**

**DATE OF LAST ENTRY TO THE U.S.:**

**I-94 NUMBER:**

**EXPIRATION DATE AS SHOWN ON THE I-94:**

Has this family member ever been ordered deported, excluded or removed from the United States?  No  Yes (If yes, explain) \_\_\_\_\_

Has an immigrant visa petition ever filed for this family member?  
 No  Yes (If yes, explain) \_\_\_\_\_

Has this family member ever been employed in the U.S. since last admitted or granted an extension or change of status?  
 No  Yes (If yes, explain) \_\_\_\_\_

Has this family member ever been arrested, charged, cited, or convicted for violation of any law, other than traffic related offenses?  
 No  Yes (If yes, explain) \_\_\_\_\_

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PROSPECTIVE EMPLOYEE NAME (Family Name, First, Middle) \_\_\_\_\_

DATES OF EMPLOYMENT	EMPLOYERS FOR WHOM YOU HAVE WORKED (include address)	U.S. IMMIGRATION STATUS (if any)

(Use additional sheet, if necessary)

I certify that, to the best of my knowledge, the information provided in Part B of this request form is true and accurate.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

### Additional Documentation to Be Submitted by Prospective Employee

Please submit the following documentation:

1. Curriculum vitae
2. Official copy of your university undergraduate transcripts as well as any post-graduate transcripts
3. Photocopy of your undergraduate diploma as well as any post-graduate diplomas
4. A current copy of your I-20/DS-2019 (formerly known as IAP-66, if applicable)
5. Copy of your current passport data pages
6. Copy of your I-94
7. Copy of all of your previous H-1B approval notices, if applicable
8. Most recent pay statements and W-2, if applicable
9. Copy of the documentation requested above, if applicable.

**PLEASE NOTE!!** If your transcripts and diplomas are from universities outside the United States, you will need to have a credential evaluation done by World Education Services (WES). The contact information for WES is: World Education Services, 64 Beaver St, #146, New York, NY 10004, TEL: 212-966-6311, FAX: 212-739-6100.

**MANDATORY STATEMENT FOR APPLICANTS CURRENTLY IN THE U.S.**

Name: \_\_\_\_\_

Please check the option below which best describes your intention regarding your employment and provide this information along with the rest of this packet. When you have finished, please indicate your understanding of your employment situation by signing below. Your application will not be processed without your signature on this page. If you have difficulties deciding which classification applies to you, please contact the Center for International Programs Responsible Officer for clarification.

- I have a current USCIS-issued Employment Authorization Document (EAD) which allows me to work for any employer. My current EAD expires on \_\_\_\_\_. I understand that I can work only under the terms and conditions of my current work authorization until the day it expires. I also understand that if this H-1B petition is not approved by the day my current EAD expires, I must be removed from the payroll at Marshall University until the H-1B petition is approved (please provide a copy of the EAD).
- I am not currently employed at Marshall University. I do not have an employment authorization which allows me to work at Marshall University. I understand that I cannot be employed at Marshall University until my H-1B status is approved by the US Citizenship and Immigration Services.
- I am currently employed/conducting research at Marshall University, and I am applying for a change of status since I currently do not hold H-1B status. I currently hold \_\_\_\_ status which expires on \_\_\_\_\_. I understand I can work only under the terms and conditions of my current employment authorization until the day it expires. I also understand that if this H-1B petition is not approved by the day my current work authorization expires, I must be removed from the payroll until the H-1B petition is approved.
- I am currently employed at Marshall University and I am applying for an extension of my Marshall University-sponsored H-1B status. I understand that I may continue to work at Marshall University under the terms and conditions of my current H-1B status. I also understand that, if my current H-1B status expires before the extension is approved, I may continue working for an additional 240 days. Such authorization shall be subject to any conditions and limitations noted on the initial authorization. However, if the district director or service center director adjudicates the application prior to the expiration of this 240 day period and denies the application for extension of stay, the employment authorization under this paragraph shall automatically terminate upon notification of the denial decision. Moreover, if my H-1B status is not granted by the end of that 240 day period, I may be removed from the payroll unless I have taken appropriate steps to obtain additional employment authorization.

8 C.F.R § 274a.12(b)(20)

- Other: (Please describe your situation if any of the above-listed conditions does not apply to you)

I certify that the above indicated statement best describes my situation. I fully understand the limitations of the status I currently hold as described above.

\_\_\_\_\_  
Signature of Foreign National

\_\_\_\_\_  
Date

**PHOTOCOPY STATEMENT**

**Name:** \_\_\_\_\_

*Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an immigration or consular official at a later date.*

**Signature:** \_\_\_\_\_

**Typed/Printed Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_