



## Department Checklist International Scholar Immigration Document Processing

### Documents required for initial and extension requests – all immigration classifications

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- Form A:** completed and signed by department
- Letter of Appointment:** from the dean of the school or college on the Charles River Campus, or Office of Human Resources on the Medical Campus.
- Form B:** completed and signed by the prospective scholar.
- Supporting Documentation from Scholar** (see checklist on Form B)
- Additional Items\*** : those required for the specific visa classification as listed below.

### \* Additional Items for Specific Classifications

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#### J-1 Exchange Visitor Requests

- Financial Documentation:** if the prospective scholar will not be paid by BU or if needed to supplement the income from BU.
- No Patient Care Letter:** from the Dean for scholars with a medical degree.

#### H-1 Temporary Worker Requests

- H-1 Supplement Form**
- H-1 Letter of Support**
- \$1225 Check:** made payable to "U.S. Department of Homeland Security" if department wishes to request Premium Processing expedite service.

#### TN (Trade NAFTA) Employee Requests

- TN Supplement Form**

#### O-1 Persons of Extraordinary Ability Requests

- O-1 Supplement Form**



International Students & Scholars Office ♦ 888 Commonwealth Avenue, Second Floor ♦ Boston, Massachusetts ♦ 02215
Telephone: 617/353-3565 ♦ issosch@bu.edu ♦ www.bu.edu/isso ♦ Facsimile: 617/358-1170

A. BU Host Department Information

Form section A containing fields for School/College, Department, Address, and Contact Information for both BU Host and Department.

B. Requested Visa Classification (please select one)

Form section B containing checkboxes for visa types: J-1, H-1B, TN, O-1, F-1 STEM OPT, and EXTENSION of checked status.

C. Scholar Personal Information

Form section C containing fields for Name Prefix, Last Name, First Name, Date of Birth, Gender, and Immigration Status.

D. Academic Appointment/ Employment Information

Form section D containing fields for Boston University Academic Appointment, Field of Teaching, Brief description of work, Employment Status, and Certification requirements.

Please continue on Page 2

E. Location(s) of Employment/ Activity		
Primary address where this scholar will teach, research, or work (include city, state and zip code):		
Will scholar engage in collaborative research or related activities at any locations other than the principal address listed above?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide <b>all</b> addresses at which teaching, research or employment activity may occur (include city, state and zip code for each). Attach separate sheet if needed.
Will scholar work/be placed at any secondary work locations for more than <u>five</u> days?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Funding Information		
Total annual salary and/or other funding:	Scholar's <u>principal</u> source of funding is:  <input type="checkbox"/> BU salary <input type="checkbox"/> BU per diem, stipend or housing (in lieu of salary) <input type="checkbox"/> Boston Medical Center salary <input type="checkbox"/> Personal funding <input type="checkbox"/> Other - Please explain: _____	If J-1 scholar sponsorship requested:  <input type="checkbox"/> The host department has reviewed the financial documents of this scholar and the funding meets the minimum requirement established by BU per: <a href="http://www.bu.edu/isso/scholars/minimum-funding.html">http://www.bu.edu/isso/scholars/minimum-funding.html</a>

G. Handling Instructions	
(please select one)	<p><i>For <u>initial J-1 and TN Requests Only</u>:</i></p> <input type="checkbox"/> Email department contact for pick up. <input type="checkbox"/> Express to scholar ( <u>requires</u> a <b>completed and signed</b> Fedex or DHL air bill)

**H. Attestations and Certifications:**  
 In requesting immigration sponsorship for the above-named individual, WE CERTIFY THE FOLLOWING:

- We have read all of the information on both sides of this form as well as on the corresponding Supplement form (Supplement H, TN, O or J Student Intern) and it is, to the **best of our knowledge**, true and correct.
- We understand that, pursuant to Boston University policy, neither we, nor our employees, are authorized to retain **private counsel** (attorneys/lawyers) to represent BU's interests. All nonimmigrant petitions (i.e. H, O, TN) must be channeled through the International Students and Scholars Office (ISSO); and all immigrant petitions (i.e., permanent residence, also known as "green card") require approval of the Provost on the Charles River Campus.
- If the **terms this scholar's employment** (or activity, if not employed) change in any way, or if the scholar ceases to be employed before the expiration of the approval documentation, we will immediately notify the ISSO in advance via the appropriate departure or change of activity form as found at: <http://www.bu.edu/isso/administrators/index.html>
- Timing of requests:** We understand that this department must submit requests for initial appointments, extensions, and changes in the scholar's employment/activity in accordance with the ISSO's processing timelines as published on the ISSO web site ([www.bu.edu/isso](http://www.bu.edu/isso)). We understand that failure to comply with the timeline specific to this scholar's immigration status (visa type) could result in one of the following (**NOTE:** this is particularly important for time-sensitive petitions such as TN, H-1B and O.)
  - A significant delay in beginning employment/activity (for new scholars).
  - A period of time in which the scholar must stop employment/activity without any possibility of compensation (retroactive payments are not permitted).
  - Require the scholar (and her/his dependents) to travel to her/his home country.
- We understand that the **immigration category** petitioned for is determined by the International Students and Scholars Office (ISSO) in accordance with University policy and government regulations.
- We understand that other provisions and restrictions may apply before employing/hosting the scholar based upon the prospective employee's **individual circumstances and visa history**. For example: individuals who are currently or have been recently in the U.S. in "J" nonimmigrant status may be subject to a home country physical presence ("residence") requirement which may prevent a change of status.
- We understand that **noncompliance with federal and state regulations** to which we are attesting through this and other documentation we have and will submit can result in significant fines and will jeopardize BU's ability to sponsor international scholars in the future.
- Change in **date of arrival:** if the scholar will not arrive by the appointed start date, we understand that we are required to report this to the ISSO immediately as it may require additional immigration processing.
- We understand that we **may not make the following changes** unless the ISSO files a new or amended petition and receives approval (retroactive payments are not permitted) pursuant to U.S. law and related procedures:
 

a. Promotion or other change in job title or rank.	c. Any decrease in salary/benefits.	e. Change in location of work
b. Substantial changes in job duties/responsibilities.	d. A substantial increase in salary/benefits.	
- Boston University (including the ISSO, the Offices of Human Resources, or individual host departments) may be subject to **audits or on-site compliance reviews** pertaining to the sponsorship of nonimmigrant employees. These audits and on-site inspections may be made by agents or designates from U.S. Department of Homeland Security (Immigration and Customs Enforcement), U.S. Department of State, U.S. Department of Labor or other agencies, as applicable. Any questions related to audits or compliance visits should be referred immediately to the ISSO.

**If sponsorship in H-1B or O-1 category is requested, then WE FURTHER CERTIFY/ ATTEST TO THE FOLLOWING:**

11. If the scholar will obtain H-1B or O-1 status, this **department attests** to the following:
  - a. Employment of this individual will not adversely affect the working conditions of workers similarly employed. Further, this employee will be afforded working conditions on the same basis, and in accordance with the same criteria, as offered to similarly employed U.S. workers.
  - b. The department **will pay at least the higher of either the actual wage** to be paid by the department to all other individuals with similar experience and qualifications for the specific employment in question **or, the prevailing wage** as determined by the Department of Labor for those in similar occupations in the Boston area. (Note: ISSO will seek a determination of the prevailing wage in accordance with U.S Department of Labor standards.)  
  
In cases where an employee may work at more than one distinct work site, the employer must obtain a prevailing wage for each work site and the employee must then be paid (at minimum) the highest of the required wages – either the actual wage or the highest of the prevailing wage assignments received for the multiple work locations.
  - c. By requesting H-1B sponsorship on behalf of this employee, this department will agree to, and **will abide by, the terms of the labor condition application (LCA)** for the duration of the employee's authorized period of stay for H-1B employment.
    - o We certify that we will maintain a valid employer-employee relationship with the employee at all times.
    - o If the beneficiary is assigned to a position in a new location, we will notify the ISSO in advance in order to post an LCA prior to the employee's reassignment.
    - o We further understand that the employee cannot be charged the ACWIA fee and that any other required reimbursements will be considered an offset against wages and benefits relative to the LCA.
  - d. If employee will be placed at any location other than the one(s) listed on page one of Form A, for a period longer than five (5) days, the ISSO must be notified in advance by completing a [Change in H-1B Employment Form](#).
    - o If the new location is deemed a "short-term placement" then the employer must cover all actual expenses (travel, housing, living) for work and non-work days spent by the employee on site.
    - o If the new location is deemed to be a "work site," then filing of a new Labor Condition Application and amended H-1B petition may be required.
  - e. **If the employee is terminated** by Boston University prior to the expiration date of the approved petition, the department will pay the reasonable travel expenses necessary for the employee to return to her/his home country or country of last legal residence.
  - f. There is **no strike or work stoppage** in the department at the time of signing this form.
  - g. The scholar will **not be placed on unpaid leave** or any type of non-pay status at any time without ISSO approval.
12. We understand that the University must **certify that the scholar does not need a license** from the U.S. Department of Commerce or the U.S. Department of State **to have access to technology and data** in connection with his or her research at the University and we understand that the University will rely on this certification for that purpose. Specifically, this academic Department understands that it is essential that the Department maintain the University commitment to openness in research and by ensuring that the scholar does not:
  - a. Formally or informally agree to keep confidential technology or data that is export controlled; or
  - b. Formally or informally agree to restrictions on the scholar's ability to disseminate and publish the results of his or her research; or
  - c. Travel outside the U.S. in connection with his or her work for the University without seeking the advice of the Office of Sponsored Programs.
13. We understand that all members of the academic Department, and the University are obliged to comply with **export control laws**. In addition to affirming the statements in Paragraph 10, the Department Host certifies that:
  - a. The research in which the Host expects the scholar will be involved does not involve activities related to the proliferation of nuclear, chemical or biological weapons or missile technology.
  - b. The research in which the Host expects the scholar will be involved does not involve materials, technology or services listed on the **Commerce Control List**: [http://www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html) or the **Munitions List**: <http://www.fas.org/spp/starwars/offdocs/itar/p121.htm>
14. For Department Hosts (Principal Investigators or Supervisors) from the College of **Engineering**, the Departments of **Earth Science, Computer Science, Computational Science, Cognitive and Neural Systems, Math, Physics**, and the Centers for **Remote Sensing, Space Physics and Photonics**, the attestation below includes an individual certification of the following:
  - a. I work, or will work with the scholar, should he/she be granted permission from the U.S. Government to work within the University. I will work with the International Scholar in a capacity that enables me to anticipate the particulars of his/her research and work at the University.
  - b. I affirm that the contents of the [Request for Visa-Related Documents for an International Scholar \(Form A\)](#) are true, to the best of my knowledge, information and belief. I confirm that I have reviewed the Munitions List (<http://www.fas.org/spp/starwars/offdocs/itar/p121.htm>) and I do not expect that the International Scholar's work will involve technology or technical data on that list.
  - c. If at any time during the International Scholar's employment I become aware that technology or technical data have/are/ or will be released to the International Scholar in ways that were not anticipated, or that work in the International Scholar's lab is governed by a confidentiality agreement of any kind, I will immediately notify the Office of Research Compliance. I will notify the Office of Research Compliance before the International Scholar begins work activity outside my control or knowledge.

Department Host \*

Department Chair \*

Dean

Signature

Print Name

Date

\* Requests for sponsorship for graded staff positions require signature from (1) employee's direct supervisor and (2) administrative department director.



# H-1B Supplement

Request for H-1B petition to be filed on behalf of prospective employee  
*To be Completed by Department and submitted with Form A*

International Students & Scholars Office ♦ 888 Commonwealth Avenue, Second Floor ♦ Boston, Massachusetts ♦ 02215  
 Telephone: 617/353-3565 ♦ issosch@bu.edu ♦ www.bu.edu/isso ♦ Facsimile: 617/358-1170

**Purpose:** The H-1B Supplement (page 2) is used by the ISSO to describe the minimum educational, training and work experience requirements of a job title for the purpose of obtaining a Prevailing Wage Determination from the US Department of Labor. Hiring departments should refer to the chart below when preparing the H-1B Supplement to make certain they are describing only the minimum qualifications needed to perform in this position. The Prevailing Wage Determination is specific to the job described, not the individual. Do not simply list the applicant’s qualifications. The more experience and education required, the higher the US Department of Labor Prevailing Wage Determination.

The Actual Wage Documentation (page 3) is used by the ISSO to document for US Department of Labor audit purposes how the wage offered to a particular applicant has been determined in comparison with other similarly employed individuals within the same department, office or work unit. This form should list the BU ID and salary for all persons with the same title within the same department, office or unit. The hiring department should also indicate factors considered in determining the H-1B applicant’s salary in comparison with similarly employed persons.

## Minimum Job Requirements for Immigration Sponsorship by BU Academic Title

Partial list of academic titles includes academic ranks most commonly used in immigration processing. Minimum job requirements per academic ranks as determined by the ISSO for the purpose of US Department of Labor requirements for H-1B immigration sponsorship.

### BU STAFF POSITIONS –

Minimum requirements for immigration processing will be based on official Human Resources-approved **Job Description**. Please attach a copy of the Job Description to this form for ISSO review.

### FACULTY TITLES- Based on guidance outlined in the BU Faculty Handbook:

BU Academic Title	Minimum Education Highest Degree Required	Minimum Years of Training	Minimum Years of Work Experience		Special Requirements
			Required Experience in Job Offered	Required Experience in Related Occupation	
Lecturer	Masters *	N/A	N/A	N/A	N/A
Senior Lecturer	Masters *	N/A	N/A	+ 5 years	N/A
Master Lecturer	Masters *	N/A	N/A	+ 10 years	N/A
Instructor (CRC)	Masters *	N/A	N/A	N/A	N/A
Instructor (MED)	Doctorate *	N/A	N/A	N/A	N/A
Assistant Professor	Doctorate *	N/A	N/A	N/A	N/A
Clinical Associate	MD/DMD *	N/A	N/A	N/A	Medical License
Clinical Assistant Professor	MD/DMD *	varies	N/A	N/A	Medical License
Associate Professor	Doctorate *	N/A	N/A	+ 3 years	N/A
Clinical Associate Professor	MD/DMD *	varies	N/A	+ 3 years	Medical License

\* Or U.S. academic equivalent in specified field of study.

### RESEARCH TITLES – Based on job descriptions found in the Academic Research Job Family Matrix:

BU Academic Title	Minimum Education Highest Degree Required	Minimum Years of Training	Minimum Years of Work Experience		Special Requirements
			Required Experience in Job Offered	Required Experience in Related Occupation	
Research Fellow	Masters *	N/A	N/A	N/A	N/A
Postdoctoral Associate	Doctorate *	N/A	N/A	N/A	N/A
Senior Postdoctoral Associate	Doctorate *	N/A	N/A	+ 3 years	N/A
Research Scientist/ Research Engineer/ Staff Researcher	Doctorate *	N/A	N/A	N/A	N/A
Sr. Research Scientist/ Sr. Research Engineer/ Sr. Staff Researcher	Doctorate *	N/A	N/A	+ 5 years	N/A

\* Or U.S. academic equivalent in specified field of study.

A. BU Hiring Department/Office Information			
Hiring Department or Academic Office:			
BU Host / Supervisor Name:		Department / Office Contact Name:	
B. Scholar Name			
Last Name / Family Name / Surname:	First Name / Given Name:	Middle Name(s), if applicable	
C. Additional Appointment Information			
Boston University Academic Appointment or Job Title:		Title (not name) of immediate supervisor of this H-1B scholar:	
D. Job Duty Summary			
Principal Field of Teaching/Research or Employment	Will H-1B employee serve as principal supervisor for any full-time employees (not students):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	If so, specify number of full-time employees this H-1B scholar will supervise:		
Describe in detail the job duties to be performed by employee. For teaching roles, include teaching fields. For research roles, include day-to-day description of research methodologies as well as scope/application of research. Include amount and type of supervision required.			
E. Minimum Job Requirements			
Please refer to the ISSO chart of <b>Minimum Job Requirements for Immigration Sponsorship by BU Academic Title</b> on page one of this supplement for guidance when completing the information requested below. The ISSO had developed this chart based on the Faculty Handbook and the Academic Research Job Family Matrix to determine the standard minimum educational requirements for the most common BU academic titles. For staff positions, please refer to or the HR Job Description.			
What are the <u>minimum</u> requirements for this position? List <b>only</b> the minimum qualifications needed to perform in this position; do NOT simply list the applicant's qualifications. The more experience and education required, the higher the US Department of Labor Prevailing Wage Determination.			
<b>Education:</b>	Major field(s) of study: _____ or closely related field		
<b>Training</b> (Does the position <u>require</u> specialized training in <b>addition</b> to the above education?) <b>Refer to chart.</b>	Number of years of training required: _____		
	Briefly describe the training required: _____		
<b>Experience:</b> (Does this position <u>require</u> experience in the job offered or in a related occupation?) <b>Refer to chart.</b>	Experience required in the job offered:	Years _____ Months _____	Experience required in <b>related</b> occupation:*
	* Specify occupation: _____		
<b>Other Special Requirements:</b> (Include Licenses, etc.)	_____		

**A. BU Department Information**

School / College (if applicable)	Campus:
Hiring Department or Office:	

**B. Scholar Name**

Last Name / Family Name / Surname:	First Name / Given Name:	Middle Name(s), if any
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**C. Appointment Information**

Boston University Academic Appointment or Job Title:	Appointment/Job Start Date (or <u>Extension</u> Start Date):	Appointment/Job End Date (or Extension End Date):
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**D. Actual Wage Information**

Salary offered to applicant: \$ _____	Salary range of employees with same title in accordance with chart below: \$ _____ to \$ _____	<input type="checkbox"/> There are no other employees in this department or office holding the same title. Therefore, no employees are listed below and the salary offered constitutes the "actual wage."
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**Instructions:** The information requested here is required by the Department of Labor for the *Public Access File* that will be kept in relation to this application. In the chart below, list **all** employees in same department, office or unit – including US citizens – with the same title as the applicant and complete all pertinent information. In the block below the chart, explain any variations in salaries (e.g., "Employee #3 has 6 years of experience at BU" or "Employee #8 has been granted two patents") This chart determines the "actual wage" (see definitions on page 2) paid in your department to those with the same title. If additional space is needed, please continue on a separate sheet.

BU ID #	Salary at Time of Hire	Current Salary	Hire Date	Highest Degree	Year Received
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Please explain any substantial or unclear variations in the salaries listed above. For Example, "Employee #3 has 6 years of experience at BU" or "Employee #8 has been granted two patents."

Which of the following factors were considered in determining the applicant's salary (please check all that apply): <table style="width:100%; margin-top: 10px;"> <tr> <td><input type="checkbox"/> Degree(s) earned</td> <td><input type="checkbox"/> Comparable rate of pay at similar institutions</td> </tr> <tr> <td><input type="checkbox"/> Previous work experience</td> <td><input type="checkbox"/> Premium to hire away from another institution</td> </tr> <tr> <td><input type="checkbox"/> Academic honors</td> <td><input type="checkbox"/> Particular skills this individual possesses</td> </tr> <tr> <td><input type="checkbox"/> Area of specialization</td> <td><input type="checkbox"/> Demonstrated decision-making ability</td> </tr> <tr> <td><input type="checkbox"/> Supervisory responsibilities</td> <td><input type="checkbox"/> Other _____</td> </tr> </table>	<input type="checkbox"/> Degree(s) earned	<input type="checkbox"/> Comparable rate of pay at similar institutions	<input type="checkbox"/> Previous work experience	<input type="checkbox"/> Premium to hire away from another institution	<input type="checkbox"/> Academic honors	<input type="checkbox"/> Particular skills this individual possesses	<input type="checkbox"/> Area of specialization	<input type="checkbox"/> Demonstrated decision-making ability	<input type="checkbox"/> Supervisory responsibilities	<input type="checkbox"/> Other _____	<p style="text-align: center; margin: 0;"><b>FOR ISSO USE ONLY</b></p> <p>Reviewed by: _____</p> <p>Date: _____</p> <p>Higher Wage is:</p> <p style="text-align: center;"> <input type="checkbox"/> Actual Wage    <input type="checkbox"/> Prevailing         </p>
<input type="checkbox"/> Degree(s) earned	<input type="checkbox"/> Comparable rate of pay at similar institutions										
<input type="checkbox"/> Previous work experience	<input type="checkbox"/> Premium to hire away from another institution										
<input type="checkbox"/> Academic honors	<input type="checkbox"/> Particular skills this individual possesses										
<input type="checkbox"/> Area of specialization	<input type="checkbox"/> Demonstrated decision-making ability										
<input type="checkbox"/> Supervisory responsibilities	<input type="checkbox"/> Other _____										

<b>Department Chair or Host/Supervisor</b>	_____ <i>Signature</i>	_____ <i>Print Name</i>	_____ <i>Date</i>
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# Sample Letter of Support

(On department letterhead)

Date

Department of Homeland Security  
U.S. Citizenship and Immigration Services  
California Service Center  
24000 Avila Road, Room 2312  
Laguna Niguel, CA 92677

The **position title** in this letter must match the title used in Form A, the H Supplement and the appointment letter.

RE: H-1B Petition on Behalf of **Scholar Name**

To Whom It May Concern:

I am writing this letter in support of the H-1B petition on behalf of **Scholar Name**. The **Department name**, at Boston University has a need for a **Position Title**. This position requires a minimum of a Ph.D. or the equivalent in either electrical or computer engineering, or a directly related field as well as expertise in conducting multi-scale space and time micromagnetic simulations.

We would like to offer full-time, temporary employment to **Scholar Name**. As a **Position Title**, **Scholar Name** will conduct research involving the modification of computer codes, the development of new codes and/or utilization of existing software to develop a multi-scale concurrent computing environment for the characterization of the dynamic response of Read and Write elements in a magnetic field.

**Scholar Name** received a Master of Science degree in Electrical Engineering from Boston University in 2001 and continued on to a Ph.D. program. **Scholar Name** was employed as a Graduate Research Assistant in the Magnetic and Optical Devices Laboratory at the Department of Electrical and Computer Engineering at Boston University from 2011 to 2014. **Scholar Name** earned his/her Ph.D. degree in Computer Engineering from Boston University in January 2008, where his/her research specialized in magnetic sensors.

Since then, he/she has been working as a post-doctoral **Position Title** at the Department of Electrical and Computer Engineering at Boston University in J-1 exchange visitor classification and then in H-1B classification. He has continued to do an outstanding job of research in magnetic materials. He has completed a series of papers and has submitted a joint research proposal to the National Science Foundation. In addition, **Scholar Name** has been the co-author of 8 publications in the field electrical and magnetic engineering and is a first-rate researcher whose expertise will contribute significantly to our continued research at the **Department name**.

Therefore, **Scholar Name** has the background and experience to exceed the minimum qualifications for our **Position Title** position. We are confident that both the occupation and the qualifications of the prospective employee meet the minimum requirements for H-1B sponsorship. We respectfully request your favorable consideration of this petition.

Sincerely,

*Your Signature*

Name

Title

Department Name