

H-1B PETITION DEPARTMENT QUESTIONNAIRE

CHECKLIST

Please submit the following items to the Office of International Programs. When providing copies of documents, please make color copies if possible.

- Completed H-1B Department Questionnaire**
- Completed Deemed Export Questionnaire**
- Position Description**
- IF INITIAL Case Type: Please Provide an Offer Letter**
- IF EXTENSION/AMENDMENT Case Type: Please Provide a Letter of Support Confirming Continuation of Employment**
- Filing Fees**
 - o **U.S. Department of Homeland Security Fees (paid by hiring department)**

H-1B CASE TYPE	FEES
Initial-COS, Initial-COE-Portability, Initial-Consular	To U.S. Department of Homeland Security: <ul style="list-style-type: none"> ▪ \$500 Anti-Fraud Fee*** ▪ \$325 Filing Fee***
Extension-Portability, Amendment	To U.S. Department of Homeland Security: <ul style="list-style-type: none"> ▪ \$325 Filing Fee

***The anti-fraud fee and filing fee have to be on separate checks.

Checks should be made payable to **U.S. Department of Homeland Security**. Checks should be submitted to the Office of International Programs and **not directly sent** to the U.S. Department of Homeland Security.

- o **Office of International Programs Processing Fee (paid by hiring department)**
The OIP fees are in addition to the H-1B filing fees required by the U.S. Department of Homeland Security.

OIP PROCESSING FEES	
OIP Processing Fee	\$800
OIP Premium Processing Request Fee <ul style="list-style-type: none"> ▪ Applies to H-1B requests submitted to <u>OIP 45 days or less from the prospective H-1B employee's start date.</u> or ▪ Guarantees H-1B petition processing by OIP and submission to USCIS within 30 days of request receipt. 	\$250

OIP Processing Fees effective January 1, 2015: The OIP processing fees will apply to H-1B requests that have a start date after January 1, 2015. For extension cases, the fees will apply to H-1B requests that have an H-1B end date after January 1, 2015.

- Premium Processing Fee (OPTIONAL)**
 - o Guarantees H-1B petition is reviewed by USCIS within 15 days of receipt
 - o **Premium Processing Fee : \$1225**
 - Check should be made payable to the **U.S. Department of Homeland Security**
 - Premium processing fee can be paid by either the employer or H-1B employee. Please contact OIP for more information.

CONTACT INFORMATION

If you have any questions related to the H-1B process, please do not hesitate to contact Kimberly Connelly and Irina Aris. Please be sure to include both Kimberly Connelly and Irina Aris in any communication sent by email.

<p>Kimberly Connelly, M.A.T. Director of International Programs, PDSO, ARO Email: kconnelly@kumc.edu Phone: (913) 588-1480</p> <p>Irina Aris, M.P.A. Assistant Director of Inbound Programs, RO, DSO Email: iaris@kumc.edu Phone: (913) 588-1485</p>	<p>Office of International Programs University of Kansas Medical Center 3901 Rainbow Blvd., MS 3033 5010 Wescoe Kansas City, KS 66160 Email: InternationalProgs@kumc.edu Phone: (913) 588-1480 Fax: (913) 588-1462</p>
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REQUEST FOR PREMIUM PROCESSING (OPTIONAL)

Please complete this form if you would like to request premium processing for the employee. Attach this form with the H-1B Department Questionnaire if the request is being made at the time of filing. If the hiring department would like the H-1B case to be “converted” to premium processing after filing, please email this form directly to the Office of International Programs.

Department:		
H-1B Employee Family Name (Last Name):	Given Name (First Name):	Employment/H-1B Start Date:
<p><input type="checkbox"/> YES, the hiring department would like to request premium processing and will enclose a check for \$1225 payable to the “U.S. Department of Homeland Security”.</p> <p>Department Contact/Supervisor Signature: _____ Date: _____</p> <p>Print Name: _____</p>		

PART 1: INFORMATION ABOUT THE DEPARTMENT

This questionnaire should be filled out by the hiring department of the H-1B employee. Please provide as much information and detail as possible. Print legibly or type out the information requested below.

Department Name:		
Department Contact Last Name:	First Name:	Title:
Phone Number/Extension:	Email Address:	
Supervisor Last Name:	First Name:	Title:
Phone Number/Extension:	Email Address:	
Department Chair Last Name:	First Name:	Full Title:

PART 2: INFORMATION ABOUT THE JOB AND THE H-1B EMPLOYEE

Type of H-1B Requested <input type="checkbox"/> INITIAL/NEW EMPLOYMENT <input type="checkbox"/> COS (CHANGE OF STATUS): Prospective employee is currently in another visa status i.e. J-1, J-2, or F-1, and this will be a new or first H-1B for him or her. The prospective employee request to change visa status within the United States. <input type="checkbox"/> CONSULAR: Prospective employee is currently outside of the United States and will require Consular processing to be admitted to the United States in H-1B status. <input type="checkbox"/> COE-PORTABILITY: Prospective employee currently holds H-1B status with another employer and will be starting a new position at KUMC. Upon the timely filing of the new H-1B from KUMC, the employee will have "portability" which means he or she can continue working at KUMC while the H-1B case is pending approval with the USCIS. <input type="checkbox"/> EXTENSION-PORTABILITY: Employee currently holds H-1B status with KUMC and requires an extension. <input type="checkbox"/> AMENDMENT: Employee currently holds H-1B status with KUMC and requires the submission of an amendment to reflect "material changes" to his or her employment. Material changes include significant changes in duties, changes in title, increase in salary, and/or promotion. An amendment petition has to be received by the USCIS before these material changes take effect.		
H-1B Employee Last Name:	First Name:	Middle Name:
Official Job Title:		
<i>PLEASE NOTE: Postdoctoral Fellow positions are limited to a 5-year term at KUMC.</i>		
Prospective H-1B Employee's Annual Salary:		
For faculty appointments, please complete the following: Base Annual Salary: Range of Additional Compensation or Bonuses: FROM \$ TO \$		
Position Type Full-Time: <input type="checkbox"/>	Part-Time: <input type="checkbox"/> If part-time, please indicate the number of hours per week the employee will be working:	
H-1B Requested Dates of Employment:		
<i>PLEASE NOTE: We can request up to <u>three</u> years for H-1B work authorization. If you would like us to request <u>LESS</u> than <u>three</u> years, please indicate the dates above. It is generally recommended to request the full three years, unless a shorter period of employment is expected. It is usually more time and cost effective to file for three years; however, if the employer requests three years and the employer terminates the H-1B employment, the employer must offer the reasonable cost of transportation home.</i>		

1. Will the H-1B employee supervise the work of others? YES NO
 a. IF YES, please provide the number of employees the H-1B employee will supervise:

2. Will travel be required in order to perform the job duties? YES NO

3.

Minimum U.S. Degree Required:	Indicate Major or Filed:

4. Does the employer require a second U.S. degree? YES NO
 a. IF YES, please indicate major or field of the second degree:

5. Is training for the job opportunity required? YES NO
 a. IF YES, please specify the required number of months of experience:

6.

Special Requirements (List specific skills, licenses/certificates/certifications that are required for this position):

7. Will work be performed at multiple sites? YES NO

Place of Employment (Select all that apply and indicate exact physical addresses):

3901 RAINBOW BLVD., KANSAS CITY, KS 66160

OTHER:

PART 3: ACTUAL WAGE INFORMATION

Actual wage information should take into account domestic and international employees fully funded by KUMC who have the same or similar:

- Job title, Duties, Qualifications, Education, Specialized knowledge, Other “legitimate business factors”

These employees must be either in your department, lab, or center. Please list the lowest and highest salary amounts and provide the following information:

Employee	Salary/Year Amount	Range of Additional Compensation/ Bonuses (if applicable)	Highest Level of Education	Years of Experience	Notable Achievements Justifying Salary	Other “legitimate business factors” (i.e. salary restrictions by grant, etc.)
Employee with Lowest Salary						
Employee with Highest Salary						

Please indicate the total number of employees in the department, lab, or center with the same job title as well as similar duties, qualifications, education, specialized knowledge, and other “legitimate business factors”:

PLEASE NOTE: While rare, the U.S. Department of Labor may review "actual wages" to verify that the H-1B worker is not paid LESS than the wage level paid to other individuals with similar experience and qualifications. If U.S. workers performing the same job are being paid MORE than the H-1B worker, please confirm the following:

If required to do so, the hiring department can provide documentation to show that the higher paid workers have different salaries based on education, experience, qualifications, job responsibilities and function, specialized knowledge, or other legitimate business factors.

Yes No

PART 4: PREVAILING WAGE INFORMATION

As part of the process, the Office of International Program must obtain a prevailing wage from the U.S. Department of Labor. We will make an estimate based on U.S. Department of Labor wage data and communicate any wage issues that may arise.

The prevailing wage takes anywhere between one to three months to be determined. If the H-1B is needed sooner and the wage comes back higher, KUMC policies require that the wage be increased to equal or be higher than the determined prevailing wage. Additionally, the hiring department must be willing to pay the higher of the two wage rates: the prevailing wage and the actual wage.

Please indicate if you agree to pay the higher of the prevailing wage or the actual wage rate, or if you prefer to delay the H-1B filing until any wage issues are determined.

- The hiring department agrees to pay the higher of the prevailing wage or the actual wage rate.
- The hiring department prefers to wait to prepare the H-1B until the prevailing wage is issued by the U.S. Department of Labor.

PART 5: STATEMENT OF UNDERSTANDING OF RESPONSIBILITIES WHEN SPONSORING AN H-1B EMPLOYEE

When sponsoring an international in H-1B status, the hiring department should be aware of the following and be willing to comply with these regulatory requirements. For additional information about the H-1B visa, please review the **H-1B Visa General Information** document.

▪ **PREVAILING WAGE AND ACTUAL WAGE:**

When determining an H-1B employee’s wage or salary, the hiring department should consider both the prevailing wage and actual wage. Nonetheless, the employer should pay **“the higher of the two figures: the actual wage rate or the prevailing wage rate”**. I/We agree to comply with the Actual Wage and the Prevailing Wage requirements as described in parts 3 and 4 of this questionnaire.

▪ **TERMINATION OF AN EMPLOYEE:**

If the employer terminates an H-1B employee at any time during his or her H-1B validity period for any reason, the employer is required to cover **“reasonable costs of return transportation to the H-1B worker's last place of residence abroad”** 20 C.F.R. § 655.731(c)(10). Communication confirming the termination of the employee should be sent to the Office of International Programs so that we can proceed with withdrawing and closing the H-1B with the USCIS.

▪ **CHANGES IN EMPLOYMENT:**

If the hiring department is considering making any “material changes” to an H-1B’s employment, the Office of International Programs should be contacted immediately. Material changes include the following:

- Significant changes in duties
- Change in position title
- Changes in FTE
- Promotion
- Significant changes in salary

The Office of International Programs is required to submit an Amendment H-1B petition to the USCIS before any of these material changes take effect. Once the USCIS receives the Amendment petition, the hiring department may then proceed with implementing and finalizing these changes.

▪ **END OF EMPLOYMENT:**

If an employee voluntarily terminates his or her own employment, the hiring department should forward to the Office of International Programs communication that confirms the employee’s last day. Upon the receipt of this confirmation, our office will proceed with withdrawing and closing the H-1B with the USCIS. When an H-1B employee voluntarily terminates his or her own employment, the hiring department is not required to cover the reasonable costs to transportation home.

ACKNOWLEDGEMENT

I have read and agree to comply with the requirements listed above. I have also read and understood information provided in the H-1B Visa General Information document.

Department Contact/Supervisor Signature: _____ Date: _____

Print Name: _____