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REQUEST BY DEPARTMENT AND INITIAL DOCUMENTATION

- You (the hiring department) contact the H-1B adviser to initiate process, providing the scholar’s name, email address, country of origin, supervisor’s name and the anticipated start date.
- Complete and submit the Immigration Tracker online intake form, MU Export Compliance Review and Certification, prevailing wage forms, return travel guarantee and International Center Scholar Services Fee Form, along with the offer letter.

INFORMATION AND FORMS EMAILED TO EMPLOYEE

- Scholar submits documentation requested, including H-1B questionnaire, true copies statement and any other documents.
- If the scholar has dependents, they will also complete necessary documentation (Form I-539) for the status of the dependent(s) and pays all associated fees.

INTERNATIONAL CENTER REQUESTS PREVAILING WAGE

- International Center requests a prevailing wage determination from the Department of Labor, or does a self-determination in cases where possible.
- It may take up to two months to receive the determination from the DOL.
- The salary for the scholar must be at least 100 percent the prevailing wage in order to proceed.

TIMING:
- Steps 1 and 2 take about two months
- Step 3 takes about three months; or 15 days plus mailing time for premium processing

Possible delay: Prevailing Wage and intake forms must be received before moving forward in the process.

Possible delay: If the salary does not meet the prevailing wage, the salary must be raised (and obtaining HR approval can take time) or an alternate prevailing wage source must be consulted.
What is an H-1B scholar? Scholars with H-1B visas are international workers who perform services in specialty occupations requiring a specialized body of knowledge. At MU, H-1B status is used for full-time tenure-track faculty, academic researchers and professional staff.

### INTERNATIONAL CENTER FILES LABOR CONDITIONS APPLICATION
- This application is filed once the prevailing wage determination has been met.

### DOCUMENTATION IS SENT TO DEPARTMENT
- Complete and submit Form I-129 and letter of support.
- Print and post two copies of the LCA notice according to DOL regulations.

### Step 3

#### H-1B PETITION SUBMITTED TO USCIS
- International Center compiles petition package (with all materials from Steps 1 and 2) and completes I-129. You and the scholar are notified via email that the petition is being submitted to USCIS. A copy of the petition is provided for the scholar’s future use and is made available for pick up from the International Center or mailed abroad to the scholar.

#### USCIS MAILS RECEIPT OF FILING TO INTERNATIONAL CENTER
- This notice is usually received within about two to three weeks and a copy will be emailed to you and the scholar.
- It can be used to temporarily verify work authorization for extensions or transfers for 240 days.

#### H-1B APPROVAL NOTICE ARRIVES
- USCIS’s adjudication process takes an average of three to four months with standard processing. The International Center will email a copy to you and the scholar, along with any further instructions.

Possible delay: If this is a consular processing case (the scholar is abroad), then s/he must still go through the visa interview process.
Step 1

REQUEST BY DEPARTMENT AND INITIAL DOCUMENTATION

The hiring department contacts the International Center H-1B adviser to initiate the process, providing the scholar’s name, email address, country of origin, supervisor’s name and anticipated start date. The H-1B adviser will send the department the required preliminary paperwork. Included in the emailed H-1B packet (and on the International Center website) are four forms that should be completed and submitted to the International Center in order to get the process started.

Initiation emails to department and scholar

Initiation emails (like the examples below) will be sent to the department and scholar. The departmental email will include a PDF package with further instructions.

Subject: Initial H-1B process for DOE, John
Attachments: Step 1 forms.pdf

Dear department,

We have received your request to begin an H-1B petition for John Doe. The attached PDF file shows what steps the department needs to complete for the H-1B process. Please note that the H-1B is an employer-sponsored visa, so the department will need to complete a majority of the documentation. All signatures must be originals in blue ink. The MU export compliance form should be submitted online or via email to Jennifer May once it is completed.

Note: Number six under the prevailing wage information section of the attached PDF must be based on the minimum requirements of the position, not on the qualifications of the scholar. If the information is filled in based on the scholar’s qualifications, it could adversely affect the prevailing wage determination.

Check requests: Please make sure your department requests the check(s) needed for the petition as soon as possible, since a delay in the check can delay the H-1B process. It is the department’s responsibility to keep track and check with Accounting Services to see when the hold/express check is ready to be picked up. If this process has been started more than six months in advance of the requested H-1B start date, please wait until you receive the Step 2 email to request the check(s). This will ensure that the check(s) do not expire before submission of the petition.

Note: USCIS recently increased some of its processing fees. Those affected include the I-129 and I-907 application fees. Please remember to use the new fees ($325 and $1,225, respectively) when requesting checks from accounting.

Please let us know if you have any questions.

Subject: Initial H-1B process
Attachments: Scholar package.pdf

Dear scholar,

We have been notified by your hiring department to start the H-1B process for you.

Attached to this email you will find the documents that we need from you (the beneficiary) to start the H-1B process. Please review the attachment, which will serve as a checklist. You will also receive other emails that will provide a username, password and instructions for logging in to Immigration Tracker, where you will be able to complete a questionnaire.

You may scan your documents and send them via email, send them via regular mail or deliver them to the International Center. If you deliver them in person, please leave them with the front desk.

Note: The I-539 is only for dependents already in the United States. Please provide birth certificates and/or marriage certificates in English. The application can be found at uscis.gov.

Travel note: Please be aware that travel outside the U.S. while the initial H-1B petition is pending will make your petition “abandoned” per U.S. immigration regulations. Please plan travel accordingly and discuss any travel plans with an international scholar adviser.

You may also find it helpful to review the International Center’s information on H-1bs: international.missouri.edu/h-1b.
Immigration Tracker online intake form
This form provides the information needed to obtain a prevailing wage determination from the State Workforce Agency. The login information is sent in a separate email (see samples below). If you do not receive these emails, please first check your spam/junk email folder, then alert the International Center.

Subject: Immigration services
Dear department,
This email contains important about the case management and status-checking software, Immigration Tracker. Accessed online, Immigration Tracker lets you check, review and accept questionnaires and intakes any time of day.

How Immigration Tracker works:
- Go to the website: missouri.immtracker.com/portal
- Enter your username: Name1
- Enter your password: (you should receive your password in a separate email)

Please note that the information on Immigration Tracker is available in real-time. As soon as the questionnaire or intake has been submitted by the client or HR contact, it will be available for your review and approval or rejection.

Feel free to pass along any feedback, as we continually aim to enhance our systems. Please email any requests or suggestions to support@immigrationtracker.com.

With best regards,
Your dedicated TrackerWeb Administrator

Subject: Immigration services
Dear department,
You should have received an email with your login information and instructions for logging into the Immigration Tracker portal. As we advised in that email, we are providing your portal password in this separate email.

Password: XxXxXxXx

With best regards,
Your dedicated scholar team at the International Center

Portal homepage

This is where your department’s scholars are listed.
Intakes page

On the intakes page, select the H-1B intake.

H-1B employer intake form

Please fill in all fields except the ones marked here as not necessary.

Select a Petitioner/Beneficiary

<table>
<thead>
<tr>
<th>Field</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petitioner</td>
<td>University of Missouri</td>
</tr>
<tr>
<td>Beneficiary/Applicant</td>
<td>Scholar’s name</td>
</tr>
<tr>
<td>Destination Country</td>
<td>United States</td>
</tr>
</tbody>
</table>

Please select the H-1B process type for this case from the dropdown list. If you are uncertain which one to choose, please select “H-1B” and your Immigration Team can update the process type later, if necessary.
### Personal Information

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prefix</td>
<td></td>
</tr>
<tr>
<td>Given Name</td>
<td></td>
</tr>
<tr>
<td>Middle Name</td>
<td></td>
</tr>
<tr>
<td>Family Name</td>
<td></td>
</tr>
<tr>
<td>Primary E-mail Address</td>
<td></td>
</tr>
<tr>
<td>Secondary E-mail Address</td>
<td>not necessary</td>
</tr>
<tr>
<td>Office Phone</td>
<td></td>
</tr>
<tr>
<td>Cell/Mobile</td>
<td>not necessary</td>
</tr>
</tbody>
</table>

### Scholar's Information

- **Exact date you want/need H-1B to start**

### Intended Job

- **Detailed Job Description (5-6 sentences)**

- **Intended Start Date (if not ASAP)**

- **Is Premium Processing Authorized?**

- **Cost Center/PO/Billing Reference Number**

### Job Title

- **Internal Title (if different from Job Title)**

- **Job Level (if any)**

- **Wage Rate**

- **Rate is Part**

- **Is this job considered part-time?**

- **If part-time, average hours worked per week**

### Manager or Direct Supervisor Information

- **Supervisor Full Name**
- **Supervisor Title**
- **Supervisor E-mail**
- **Supervisor Phone**
- **Supervisor Fax Number**
H-1B employer intake form, cont.

This section must be answered based on what the job requires, not on the scholar’s qualifications.
### Work Conditions

The H-1B employer is required to maintain a “Public Access File,” which contains documents related to the Labor Condition Application Form 9035 (LCA) filed with the H-1B petition. Please provide the following information for assistance with the LCA process.

**Place of employment:**

*Primary place*

Please confirm the number of other employees with the same or similar position and level as the H-1B worker for each location where the H-1B worker will be assigned. The LCA form can accommodate up to 3 work locations. A separate prevailing wage will need to be assessed for each distinct work location.

<table>
<thead>
<tr>
<th>Number of similarly situation Employees at Worksite #1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of similarly situation Employees at Worksite #2, if applicable</td>
<td></td>
</tr>
<tr>
<td>Number of similarly situation Employees at Worksite #3, if applicable</td>
<td></td>
</tr>
</tbody>
</table>

Please confirm the high and low end of the salary range for this position for each location.

<table>
<thead>
<tr>
<th>Salary range for similarly situation Employees at Worksite #1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Salary range for similarly situation Employees at Worksite #2, if applicable</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Salary range for similarly situation Employees at Worksite #3, if applicable</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

The Public Access File must disclose the H-1B employee’s actual wage, or the salary range for employees at the same worksite with the same or similar position as the H-1B worker. Please confirm your preference.

**Please Disclose:**

*Actual salary*  

### Prevailing Wage - Please Check One Box

- [ ] We (the petitioning employer) request assistance in determining which wage survey to use for the present case.
- [ ] We (the petitioning employer) will provide, or have provided, a prevailing wage salary survey to be considered for the present case.
Be sure to click “Submit.” The International Center will be notified of the submission and will review the form to ensure all necessary parts are completed.
MU Export Compliance Review and Certification

Now available in a web-based form instead of a PDF version. Please note that this system requires an MU-issued login (PawPrint) and password.

Go to ecompliance.missouri.edu/login and use your MU PawPrint and password.
**Prevailing wage forms**

Information from these forms is used to determine the “actual wage,” which is defined as the wage paid by the employer to all other individuals with similar experience, qualifications, education, job responsibility/function and specialized knowledge for the employment in question.

---

**STATEMENT OF ACTUAL WAGE DETERMINATION**

The person in the department who is responsible for employment issues should complete this form. The prospective employee should not have access to the information required of this worksheet as payroll information is confidential.

Documentation on the actual wage determination is required by Department of Labor regulations in order to ensure that employers are paying similarly situated employees equivalent salaries. This statement must specify the criteria used by the employer to differentiate among employees included in the same occupation with similar experience and education.

**H-1B SCHOLAR INFORMATION**

<table>
<thead>
<tr>
<th>Name: ___________________________ last</th>
<th>Email address: ___________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position title: ___________________________</td>
<td>Position salary: ___________________________</td>
</tr>
<tr>
<td>Please check which of the following factors were considered in determining salary:</td>
<td></td>
</tr>
<tr>
<td>□ Degree(s) earned</td>
<td>These factors are important as they document how this is a specialty occupation.</td>
</tr>
<tr>
<td>□ Area of specialization</td>
<td></td>
</tr>
<tr>
<td>□ Previous work experience</td>
<td></td>
</tr>
<tr>
<td>□ Comparable rate of pay at similar institutions</td>
<td></td>
</tr>
<tr>
<td>□ Other (please explain): ____________________________________________________</td>
<td></td>
</tr>
<tr>
<td>Is the scholar currently in the U.S.? □ Yes □ No</td>
<td></td>
</tr>
<tr>
<td>Will travel be required in order to perform job duties? □ Yes □ No</td>
<td></td>
</tr>
<tr>
<td>If yes, please provide details of the travel required, including the area(s), frequency and nature of travel.</td>
<td></td>
</tr>
</tbody>
</table>

These forms are kept in the scholar’s public access file to meet Department of Labor regulations. The information must be accurate and must reflect the information given on both the job posting and signed offer letter. If the position will be changing before the H-1B will start, consult with the International Center.

---

N52 Memorial Union Columbia, MO 65211 USA Phone: +1 573 882 6007 Fax: +1 573 882 3223
Web: international.missouri.edu

Rev. 12/17/13
This page is asking for substantially comparable jobs in the occupational category in the area of intended employment. If no such workers are employed by other employers in the intended area, you should provide: 1) Jobs requiring a substantially similar level of skill within the intended area of employment; or 2) Substantially comparable jobs in the occupational category as employers outside the intended area of employment if there are no substantially comparable jobs in the intended area of employment.

### DOCUMENTATION OF EMPLOYEES IN SAME JOB CLASSIFICATION

As required by the Department of Labor, please provide the following information for those individuals employed in the department at this time with the same or similar job title, skills, education and experience as the person for whom the H-1B petition will be filed (use additional sheets if necessary).

<table>
<thead>
<tr>
<th>Position title</th>
<th>Degree</th>
<th>Years at MU</th>
<th>Annual salary</th>
<th>If salary is higher, explain why</th>
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</tbody>
</table>

If there are no similar employees, please mark “none” and return to the International Center.

### TRAINING, EXPERTISE AND SKILLS REQUIRED FOR APPOINTMENT

List minimum job requirements after the terminal degree. Do not list the scholar’s credentials, only the job requirements.

Type of H-1B:  
- [ ] New employment  
- [ ] Extension  
- [ ] Change of employer  
- [ ] Amendment

Dates to be covered by petition: begins ____________ ends ____________ (should not exceed three years)

### JOB DETAILS

Job title: ____________________________________________________________

Is the position a postdoctoral research appointment?  
- [ ] Yes  
- [ ] No

Duration of appointment:  
- [ ] 9 months  
- [ ] 12 months

- [ ] Full-time — total hours per week: ____________; salary offered: $____________ per year
- [ ] Part-time — total hours per week: ____________; salary offered: $____________ per week

Daily work schedule (e.g., 8 a.m.–5 p.m.): ____________________________________________________________

STEP 1 | 15
Provide a clear and concise description of the position. What are the most important characteristics of the job? If there are teaching responsibilities, provide the title of the course(s) that the employee will teach. Please attach a copy of the job posting, if applicable.

Does this position supervise other staff members (do not include student workers)?  □ Yes  □ No
If yes, how many? ____________

What is the minimum education necessary for someone to competently do this job? Do not indicate what is preferable, only what is required for this position. Specify degree and major field of study:

□ Bachelor’s degree: ________________________________
□ Master’s degree: ________________________________
□ Doctorate: _______________________________________
□ Other degree: ____________________________________

Is post-graduation employment experience required?  □ Yes  □ No
If yes, how many months of experience are required? ______________________________________

Special requirements. List specific skills, licenses/certificates/certifications or other requirements needed to perform this job.

I hereby certify that the salary listed above reflects the wage level paid to all other individuals with similar experience and qualifications working in this department. If there is more than one wage paid, I am able to explain the reason(s) for this differential in wage rates.

Name: ___________________________________ Title: _________________________________
person completing this form

Signature: ___________________________________ Date: _________________
Return travel guarantee
The department must agree to provide one-way return transportation to the country the scholar last resided in outside of the United States if the employment is terminated prior to the end of the H-1B period. This guarantee is signed by the department chair or hiring official.

Date: __________________________

Department of Homeland Security
USCIS California Service Center
ATTN: I-129
2400 Avila Road
Second Floor, Room 2312
Laguna Niguel, CA 92667

RE: ____________________________________
name of beneficiary in H-1B status

In accordance with H-1B regulations, the undersigned agrees to pay the reasonable costs of return transportation abroad should the individual named above be dismissed from employment before the end of the period of authorized employment in H-1B status.

____________________________
Signature of department chair/hiring official

____________________________
Print name and title

____________________________
Department or school/college
Effective Feb. 1, 2008, requests submitted to the International Center for scholar immigration support services incur an administrative processing fee. Please submit this form with each J-1, H-1B and permanent residency scholar request, including cases involving initial, extension or transfer processing to: International Student and Scholar Services, International Center, N52 Memorial Union, Columbia, MO 65211. (Please provide MO-codes for billing purposes.)

Fee schedule:
- J-1 ($200)
- H-1B ($800)
- Permanent residence ($2,000)
- USAID scholar ($250)
- TN petition ($400)

**SCHOLAR INFORMATION**

Last/family name: ________________________ First/given name: __________________________

Request type: 
- [ ] J-1
- [ ] H-1B
- [ ] PR
- [ ] USAID
- [ ] TN

Amount: $_________________

**PAYMENT INFORMATION**

MO-code: ______________________________ PS account: ______________________________

**DEPARTMENT INFORMATION**

Department: ______________________________________________________________________

Administrative contact name: _______________________________________________________

Email: _________________________________ Phone: _________________________________

Authorized fiscal signature __________________________ Date ______________

Authorized fiscal signer’s name: _________________________________________________

Authorized fiscal signer’s title: _________________________________________________

Note: Please provide an original signature from an authorized fiscal signer for the specified MO-code.
Offer letter
Submit a copy of the latest offer letter, signed by the scholar.

Check requests
Departments also need to request checks from MU Accounting Services for U.S. Citizenship and Immigration Services according to the following table:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
<th>Charged by</th>
<th>Paid by</th>
</tr>
</thead>
<tbody>
<tr>
<td>$800</td>
<td>International scholar services fee</td>
<td>MU International Center</td>
<td>Department</td>
</tr>
<tr>
<td>$325</td>
<td>I-129 H-1B application fee</td>
<td>USCIS</td>
<td>Department</td>
</tr>
<tr>
<td>$500</td>
<td>H-1B anti-fraud fee for initial petitions only (not extensions or amendments)</td>
<td>USCIS</td>
<td>Department</td>
</tr>
<tr>
<td>$1,225</td>
<td>Optional premium processing fee*</td>
<td>USCIS</td>
<td>Department or scholar</td>
</tr>
<tr>
<td>$290</td>
<td>I-539 H-4 application fee</td>
<td>USCIS</td>
<td>Scholar</td>
</tr>
</tbody>
</table>

*Employers may use this option to request faster processing of the H-1B petition at the USCIS service center. Please consult the H-1B adviser at the International Center to decide if premium processing is needed. The $1,225 fee is in addition to all other mandatory filing fees and a separate check voucher must be made payable to the Department of Homeland Security. If Accounting Services requires additional documentation for this fee, please direct them to uscis.gov.

Hold check request instructions
Follow accounting’s policy on hold and express checks. Request a hold check or an express check on the “comments” panel when entering a non-PO voucher in PeopleSoft. Provide the following information:

- Vender ID: 0100095739 (can be found with the short name by searching “USDEPTOFH”)
- Select US DEPT OF HOMELAND SECURITY, and in the new screen click on the “search” icon next to the address sequence field to view address sequence No. 5 in PS (corresponds to the California Service Center).
- Use PS account #742000.
- In the comments section:
  - Enter name, title and phone number of the requester.
  - Indicate whether the request is for a hold or express check and explain the business need for the check.
  - It is the department’s responsibility to keep track and check with Accounting Services to see when the check is ready to be picked up.

INFORMATION AND FORMS EMAILED TO SCHOLAR
The department must provide an email address for the scholar so the International Center can send the appropriate forms and directions. If no email address is available, the department will have to provide a mailing address. The scholar will receive:

- **H-1B questionnaire**: Asks for relevant immigration information and travel plans from scholar necessary for the H-1B process.
- **Form I-539**: Must be filled out by dependents currently residing in the U.S. who need to be in H-4 status. If a family member already has their own primary status, or are an American citizen, they do not file an I-539 (for more information, see the instructions from USCIS). It will be filed along with the H1-B petition to change the dependent’s status. If a dependent is already in H-4 status, then it is not necessary to re-file until an extension is needed. The application fee is paid by the scholar. For additional assistance, see an example Form I-539.
- **True copies statement**: Verifies that all the supporting documents provided by the scholar are true and accurate copies not modified in any way.
INTERNATIONAL CENTER REQUESTS PREVAILING WAGE

One the intake and prevailing wage forms have been received from the department, the H-1B adviser will work on the prevailing wage determination. This is the average wage paid to all similarly employed individuals within a certain area (city, state and region). Please note:

- It may take up to two months to receive the submitted prevailing wage determination back from the Department of Labor.
- The salary for your employee must be at least 100 percent of the prevailing wage in order to proceed to the next step in the H-1B process.
- If the salary does not meet the prevailing wage, the salary must be raised or an alternate prevailing wage source must be consulted in order to proceed. If this occurs, the H-1B adviser will contact the department about the determination and discuss alternatives.

DOCUMENTATION SENT TO THE DEPARTMENT

Once the prevailing wage determination is received and the International Center ensures that the prevailing wage requirements are met, the I-129 and letter of support will be emailed to the department for completion, printing and signature by the department chair or hiring official.

Letter of support

Below is a sample letter of support. Insert the scholar’s information in all the [bracketed] sections. After personalizing the letter, print the completed document on departmental letterhead. The letter must be signed by the department chair or hiring official before returning it to the International Center.
United States Citizenship and Immigration Services
California Service Center
RE: H-1B visa petition on behalf of [scholar]

Dear sir/madam:

I am writing this letter in support of the petition to confer H-1B status to [scholar] to serve as [position title] in the [department, laboratory, institute, etc.].

I. The petitioner:
Established in 1839, the University of Missouri in Columbia is a nonprofit, land-grant, academic and research institution that is recognized as one of the leading tier-one research institutions in the country. In order to maintain this level of excellence, it is essential that our staff members be of the highest merit and ability.

II. The position offered:
At this time, the university wishes to temporarily employ [scholar] in H-1B status in the specialty occupation of [position title] in the [department, laboratory, institute, etc.] at the University of Missouri in Columbia.

[scholar] would be employed for the first year of a multiple-year program (in which all appointments are annual), from [dates of first year length of time]. It may be possible that [scholar] will receive two consecutive reappointments, from [dates of second year length of time] and [dates of third year length of time] (depending on [scholar]'s performance). Accordingly, we now ask that the university’s H-1B petition on behalf of [scholar] be granted for three full years, from [dates of full H-1B length of time].

In this position, [scholar] will receive an annual salary rate of $[annual salary] for a [40, 20, etc.] hour work week, and will receive salary increases annually as these are declared by the university.

The minimum requirement for this professional position is a [Ph.D., master’s, etc.] degree in [discipline, field of study]. As a [position title], the employee will be involved in [description of teaching, research] at the University of Missouri in Columbia.

III. The employee
[scholar] is an exceptional candidate for this professional position. [S/he] obtained a [Ph.D., master’s, etc.] degree with an emphasis in [area of study] from [institution] in [country, state where institution is located]. [Description of additional education and experience, giving visa status during any periods of U.S. employment.]

The temporary nature of the H-1B visa status is understood and, assuming our H-1B petition is approved, I fully intend to comply with all of the regulations regarding employment of individuals in H-1B status. Submitted with this H-1B petition is an approved Labor Condition Application. I confirm that in the event that [scholar] is dismissed before the end of [his/her] period of authorized employment, I will be responsible for the reasonable cost of [his/her] return abroad.

Sincerely,

[Name and title of department chair or hiring official]
Form I-129

Below are the department signature pages of the I-129. If your scholar has been in H-1B status before, then those dates should be noted in section three of the form. Please make sure the information supplied is accurate. If your scholar has not been in H-1B status previously, then this section should be left blank.

### H Classification

**Supplement to Form I-129**

1. Name of the petitioner

2. Name of the beneficiary or if this petition includes multiple beneficiaries, the total number of beneficiaries

3. List each beneficiary's prior periods of stay in H or L classification in the United States for the last 6 years (beneficiaries requesting H-2A or H-2B classification need only list the last 3 years). Be sure to only list those periods in which each beneficiary was actually in the United States in an H or L classification. Do not include periods in which the beneficiary was in a dependent status, for example, H-4 or L-2 status.

**NOTE:** Submit photocopies of Forms I-94, I-797, and/or other USCIS issued documents noting these periods of stay in the H or L classification. If more space is needed, attach an additional sheet.

<table>
<thead>
<tr>
<th>Subject's Name</th>
<th>Period of Stay (mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>From</td>
<td>To</td>
</tr>
</tbody>
</table>

4. Classification sought *(Check one):*

- [x] a. H-1B Specialty Occupation
- [ ] b. H-1B2 Exceptional services relating to a cooperative research and development project administered by the U.S. Department of Defense (DOD)
- [ ] c. H-1B3 Fashion model of national or international acclaim
- [ ] d. H-1C Registered Nurse
- [ ] e. H-2A Agricultural worker
- [ ] f. H-2B Non-agricultural worker
- [ ] g. H-3 Trainee
- [ ] h. H-3 Special education exchange visitor program

5. Are you filing this petition on behalf of an alien subject to the Guam-CNMI cap exemption under Public Law 110-229?  
   - [x] No  
   - [ ] Yes

### Section 1. Complete This Section If Filing for H-1B Classification

1. Describe the proposed duties

   

2. Beneficiary's present occupation and summary of prior work experience

   

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This section should be completed based on the job description supplied on the H-1B intake form.
Section 1. Complete This Section If Filing for H-1B Classification (Continued)

Statement for H-1B specialty occupations only:
By filing this petition, I agree to, and will abide by, the terms of the labor condition application (LCA) for the duration of the beneficiary's authorized period of stay for H-1B employment. I certify that I will maintain a valid employer-employee relationship with the beneficiary at all times. If the beneficiary is assigned to a position in a new location I will obtain and post an LCA for that site prior to reassignment.

I further understand that I cannot charge the beneficiary the ACWIA fee, and that any other required reimbursement will be considered an offset against wages and benefits paid relative to the LCA.

Signature of Petitioner          Print or Type Name          Date (mm/dd/yyyy)

Statement for H-1B specialty occupations and U.S. Department of Defense projects:
As an authorized official of the employer, I certify that the employer will be liable for the reasonable costs of return transportation of the alien abroad if the beneficiary is dismissed from employment by the employer before the end of the period of authorized stay.

Signature of Authorized Official of Employer  Print or Type Name  Date (mm/dd/yyyy)

Statement for H-1B U.S. Department of Defense projects only:
I certify that the beneficiary will be working on a cooperative research and development project or a co-production project under a reciprocal government-to-government agreement administered by the U.S. Department of Defense.

Signature of DOD Project Manager  Print or Type Name  Date (mm/dd/yyyy)

Section 2. Complete This Section If Filing For H-1C Classification

I certify under penalty of perjury, under the laws of the United States of America, that this attachment and the evidence submitted with it is true and correct. If filing this petition on behalf of an organization or entity, I certify that I am empowered to do so by that organization or entity. I authorize the release of any information from my records, or from the petitioning organization or entity's records, that U.S. Citizenship and Immigration Services may need to determine eligibility for the benefit being sought.

Signature                                Print or Type Name

Title

Date (mm/dd/yyyy)

Firm Name and Address

Form I-129 Supplement H (Rev. 10/07/11) Y Page 12
Labor Conditions Application notice

An LCA notice will also be sent to the department. The department must print two copies to be posted, according to Department of Labor regulations, in two conspicuous locations at the work site for 10 business days. After 10 days, return the notices to the H-1B adviser to be kept in the scholar’s public access file. Note: The petition can be submitted before postings are complete.

**UNIVERSITY of MISSOURI**

INTERNATIONAL CENTER

DO NOT REMOVE

INTERNAL NOTICE OF LABOR CONDITION APPLICATION FILING
IN SUPPORT OF AN H-1B STATUS PETITION

THIS IS NOT A JOB VACANCY ANNOUNCEMENT

Department of Labor regulations require that employees be notified of the filing of an H-1B petition. To ensure compliance with this legal requirement, please follow the instructions below.

- Post these notices in two conspicuous areas within those locations (bulletin boards, break or copy rooms, etc.). These notices are to remain posted for 10 business days.
- At the end of the posting period, remove notices and complete the posting information section below.

Send the documents back to ISSS when completed. The University of Missouri-Columbia must make a copy of the postings available in a public inspection file according to Department of Labor regulations. This inspection file is kept at the International Center.

GENERAL INFORMATION REGARDING THIS EMPLOYMENT:

Number of H-1B employees covered by this petition: **One (1)**

Wages offered: **$35,355.84** per year

Job Title: **Post Doctoral Fellow**

Period of Employment: **06/29/2009** to **05/31/2012**

Location of position: Columbia, MO

Two copies of this notice must be posted at each different work site where the individual will work. Copies of this posting have been posted at the following locations:

<table>
<thead>
<tr>
<th>Posting Information Section:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Posted: ________________</td>
</tr>
<tr>
<td>Date posted: <strong><strong>/</strong></strong>/_______ Date to be removed: <strong><strong>/</strong></strong>/_______</td>
</tr>
<tr>
<td>Name and Title: ________________________________</td>
</tr>
<tr>
<td>Signature/Date: ________________________________</td>
</tr>
</tbody>
</table>

Copies of the Labor Condition Application are available for public inspection in the International Center, N52 Memorial Union, Columbia, MO 65211.

Complaints alleging misinterpretation of material facts in the labor condition application and/or failure to comply with the terms of the labor condition application may be filed with any office of the Wage and Hour Division of the U.S. Department of Labor.
**Step 3**

**H-1B PETITION IS SUBMITTED TO USCIS**

After the LCA is certified online and the H-1B adviser has all Step 1 and 2 documentation, the H-1B petition is ready to submit to USCIS. The International Center will mail the petition to USCIS via FedEx. The department and scholar will both be notified via email when the petition has been submitted.

**USCIS MAILS RECEIPT OF FILING TO THE INTERNATIONAL CENTER**

USCIS will mail a receipt of filing to the International Center. The receipt is usually received within three weeks from submission of the petition to USCIS. Processing times for adjudication of the petition vary greatly depending on many factors, generally taking eight to 14 weeks. With premium processing, an approval will be adjudicated in 15 days (plus at least one week for mailing).

A transferring H-1B employee may begin employment once the university has received the receipt of filing from USCIS. The hiring department and the scholar must sign a memo to acknowledge the possible consequences of beginning employment prior to USCIS petition approval. This is temporary work authorization, which may not be advisable in all situations.

**Sample departmental memo concerning transfer H-1B portability**

U.S. Citizenship and Immigration Services regulations allow for an employee who currently has H-1B status to begin employment upon filing of the subsequent H-1B petition by the new employer. USCIS considers “filing” of the petition to have occurred when the petition is receipted. For I-9 purposes, the receipt and a copy of the prior H-1B approval (along with other normally required documents) are sufficient as proof of authorization to begin employment.

This work authorization is temporary, subject to USCIS decision on the H-1B petition and would be withdrawn if the petition were to be denied. Because the H-1B specialty occupation visa type is job-specific, the fact that an employee has qualified for the H-1B status for another employer does not assure subsequent approval in a different position with a different employer.

Due to the length of time required for receiving a decision on the H-1B petition from the California Service Center (approximately three months after receipt notice has been received), there are potential serious implications for both employee and employer. If the new employer’s H-1B petition is denied, the employee may not be able to return to the place of prior employment. It is possible the employee would have to leave the country within 10 days of the denial, the grace period allowed under existing USCIS regulations. In such a case, the employer may have invested two or more months in training the new employee, only to have to reopen the search and begin the hiring process again.

With those circumstances in mind, we are asking the University of Missouri employer sponsor and prospective employee to acknowledge the possible problems that might arise by signing and returning this statement. If you have any questions about this process, please contact the International Center at 573-882-6007.

I have read the above statement and understand the possible consequences of beginning the period of employment prior to receipt of the actual approval of the H-1B petition.

Hiring department signature: ________________________________

Scholar signature: ________________________________

Date: ________________________________
**H-1B APPROVAL NOTICE ARRIVES**

Once the petition has been approved, the Form I-797 Notice of Action (H-1B approval notice) will be mailed to the International Center. The H-1B adviser will notify the department and scholar that the petition has been approved. The scholar will come to the International Center to pick up the new I-94, and the approval notice will be kept at the International Center. The scholar will also need to complete or update his/her I-9. If the scholar is outside of the U.S., the documents will be mailed. The documents must be taken to a U.S. consulate where the scholar can apply for the H-1B visa to enter the United States. The scholar may enter the U.S. up to 10 days prior to the start date on the approval notice and will present the H-1B documents to the department upon arrival at MU for completion of the I-9.

**Sample H-1B approval notice**

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**Department of Homeland Security**  
U.S. Citizenship and Immigration Services

**I-797A, Notice of Action**

**RECEIPT DATE**  
March 27, 2007

**NOTICE DATE**  
June 8, 2007

**CASE TYPE**  
I-129  
PETITION FOR A NONIMMIGRANT WORKER

**PETITIONER**  
UNIVERSITY OF MISSOURI COLUMBIA

**BENEFICIARY**  
C/O RICHARD PORTER COORDINATOR INTL ST  
INTL CTR MU N 52 MEMORIAL UNIV  
COLUMBIA MO 65211-7030

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The above petition and extension of stay have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Any change in employment requires a new petition and new authorization, unless exempt from the filing of this petition, separate employment authorization documentation is not required. Please contact the IRS with any questions about tax withholding.

The petitioner should keep the upper portion of this notice. The lower portion should be given to the worker. He or she should keep the right part of the Form I-94, Arrival/Departure Record. This should be turned in with the I-94 at the U.S. Left part is for his or her records. A person granted an extension of stay who leaves the U.S. must normally obtain a new visa before returning. The left part can be used in applying for the new visa. If a visa is not required, he or she should present it along with any other required documentation. When applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-864, Application for Action on an Approved Application or Petition, with this office to request that we notify a consulate, port of entry, or pre-flight inspection officer of this approval.

The approval of this visa petition does not in and of itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

**THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.**

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Please see the additional information on the back. You will be notified separately about any other cases you file.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P.O. BOX 10111  
LAGUNA NIGUEL, CA 92607-0111  
Customer Service Telephone: (800) 375-5283

Form I-797A (Rev. 09/07/05) N

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**Receipt #**  
I-94

**NAME**  

**CLASS**  

**VALID FROM**  
07/01/2007 UNTIL 06/30/2010

**PETITIONER:** UNIVERSITY OF MISSOURI COLUMBIA  
INTL CTR MU N 52 MEMORIAL UNIV  
COLUMBIA MO 65211-7030

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**658422638 11**  
Receipt Number  
Immigration and  
Naturalization Service

**I-94**  
Departure Record  
Petitioner: UNIVERSITY OF MISSOURI COLUMBIA

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Form I-797A (Rev. 10/31/05) N
**H-1B status vs. H-1B visa**

The H-1B visa must be issued outside the U.S. at an embassy or consulate. The H-1B approval notice is needed before a visa can be granted. The visa is just the entry document used to acquire H-1B status at the port of entry into the United States.

It is also possible to change status to H-1B while in the United States. Status is what authorizes a non-immigrant to stay in the U.S. legally.

Please note: Issuance of a visa does not guarantee entry into the United States. The Customs and Border Protection officer at the port of entry will make this determination, in addition to determining the length of stay for any particular visit. Usually, this is based on the length of visa status. However, CBP officers have been known to shorten stays for various reasons, including passport expiration dates and in error. Please contact the International Center immediately if the I-94 does not match the visa end date.

For more information about visa status, passport stamps and visa stamps, go to travel.state.gov/visa/temp/info/info_1304.html.

**Sample H-1B visa and I-94 card**