ACADEMIC HUMAN RESOURCES
VISA & INTERNATIONAL SERVICES ADMINISTRATION
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H-1B VISA APPLICATION:TEMPORARY SPECIALTY WORKER EMPLOYMENT

Only an authorized representative of Cedars-Sinai Medical Center's department may request the Visa & International Services Administration (VISA) office to prepare an H-1B petition.

GENERAL INFORMATION

- H-1B status is for internationals in a "specialty occupation" that requires "theoretical and practical application of highly specialized knowledge."

- H-1B petitions require CSMC to prepare and submit a great deal of paperwork**. CSMC departments should submit a packet, CAREFULLY COMPLETED, to VISA as soon as possible.** New H-1B applicants CANNOT begin employment at CSMC until the H-1B petition submitted by CSMC has been approved by the US Citizenship and Immigration Services (USCIS) a division within the Department of Homeland Security (DHS).

- VISA requires 3-4 months to prepare an H-1B petition. Before the VISA can submit the H-1B petition to USCIS, VISA must submit a Labor Condition Application, and the U.S. Department of Labor (DOL) must certify that the salary offered meets prevailing wage guidelines.

- Departments may initially petition for up to three (3) years of employment and later request extensions for a total of six (6) years.

- Only designated VISA staff are authorized to prepare and sign the H-1B petition (Form I-129) and Labor Condition Application (Form ETA 9035) for CSMC.

  All H-1B requests must be processed through VISA. Outside attorneys are not authorized to petition for H-1B status for any CSMC employee without written consent from VISA

DEPENDENTS

H-4 dependent spouses and children under 21 are eligible for H-4 dependent status. **However, H-4s are not authorized to work in the USA.**
Additional filing fees and supporting documents are required. Please see **Checklist** for details.

H-1B PROCESS

Three steps are involved in obtaining H-1B status:

Step 1: A prevailing wage request is sent to DOL.
Step 2: A Labor Condition Application is sent to DOL.
Step 3: A petition is filed with USCIS.

H-1B APPLICANTS OUTSIDE THE USA

Prospective employees who are abroad will also need time to apply for an H-1B visa at a US Embassy or Consulate. This can be done only after USCIS has approved the H-1B petition.

H-1B APPLICANTS INSIDE THE USA

- H-1B status is **EMPLOYER-** and **POSITION-SPECIFIC**. Even if the prospective employee is currently in the USA in H-1B status, CSMC must still file a new H-1B petition. Once the CSMC petition is on file at USCIS, the H-1B applicant may begin working at CSMC on the proposed start date.

- If the H-1B applicant is in the USA in another status, it may take several months for USCIS to approve a change of status application.

- Changing from J-1 or F-1 to H-1B will change the US tax status of the employee.

PART-TIME EMPLOYMENT

H-1B status for part-time employment will be considered only in special situations.
Contact VISA for additional information and requirements.

PART I: H-1B SUPPORT MEMO: To Be Completed by Hiring Department

REQUEST TYPE:	NEW	AMENDMENT	EXTENSION
	☐ INITIAL (OUTSIDE OF U.S) ☐ TRANSFER IN (CURRENT H-1B FROM ANOTHER U.S. INSTITUTION) ☐ CHANGE OF STATUS (CURRENTLY INSIDE U.S. ON DIFFERENT STATUS)	☐ POSITION TITLE/FUNDING UPDATE ☐ CSMC DEPARTMENTAL TRANSFER ☐ WORK SITE UPDATE	☐ (CURRENTLY IN H-1B STATUS SPONSORED BY CSMC)

1. CANDIDATE'S LAST NAME:	**FIRST NAME:**	**MIDDLE NAME:**

2. POSITION TITLE:	**3. POSITION JD CODE:**	**4. REQUISITION NUMBER:**	**5. ANNUAL SALARY:**

6. PROPOSED START DATE:	**7. SPONSORSHIP END DATE:**	**8. PERCENTAGE OF TIME:**

9. ACADEMIC DEGREE REQUIRED FOR POSITION:	**10. FIELD OF MAJOR REQUIRED FOR POSITION:**	**11. # OF WORKERS CANDIDATE WILL SUPERVISE:**

12. IS TRAINING REQUIRED FOR THIS POSITION? ☐ No ☐ Yes **IF YES, # OF MONTHS REQUIRED:** _____ **FIELD OF REQUIRED TRAINING:**	**13. IS EMPLOYMENT EXPERIENCE REQUIRED FOR THIS POSITION?** ☐ No ☐ Yes **IF YES, # OF MONTHS REQUIRED:** _____ **OCCUPATION REQUIRED:**

14. WORK SITE- PROVE PHYSICAL LOCATION(S) OF ALL RELEVANT SITE OF ACTIVITY, INCLUDING TERMPORARY AND OCCASIONAL ASSIGNMENTS ON OR OFF-CAMPUS:

☐ Main CSMC Campus (N/S/E/W Towers) ☐ Davis Research Building ☐ Mark Goodson Building ☐ Steven Spielberg Building ☐ 6500 Wilshire Building

☐ Other (provide location name and address):

VISA must submit a Labor Condition Application ("LCA") to the US Department of Labor and have it approved before submitting the H-1B petition to the US Department of Homeland Security. Carefully read the statements below and certify that all is true.

1. The salary being paid to the above-named employee is at least the actual wage being paid to all other individuals with similar experience and qualifications for the specific employment in question or the prevailing wage level for the occupation in the area of employment, whichever is higher.
2. The vacation time, sick leave, and other benefits offered to this employee are equivalent to that offered to other US workers in the same classification.
3. Employing this person will not adversely affect the working conditions of US workers similarly employed.
4. There is no strike, lockout, or work stoppage due to labor dispute in this occupation.
5. The LCA will be posted by VISA in HR Recruitment and the Ray Charles Cafeteria on the day the form is initiated to the DOL.
6. We agree to comply fully with the terms of the LCA stated above for the duration of the employee's employment in H-1B status at CSMC.
7. **Any willful violation connected with providing inaccurate information in this LCA may incur a severe penalty that has a long-range impact on the entire CSMC institution.**
8. **The hiring department has an obligation to pay the cost of return transportation (one-way coach fare) for any H-1B worker and eligible dependents whose period of employment is terminated for any reason other than "cause" prior to the expiration date of the worker's sponsorship period as required by DHS.**

I have read the above conditions and agree to each point.

DEPARTMENT NAME:	**DIVISION:**

NAME	TITLE	SIGNATURE	DATE
DEPARTMENT CHAIR/DIRECTOR:			
SPONSOR/SUPERVISOR:			
DEPARTMENT CONTACT:			
DEPARTMENT CONTACT EMAIL:		**DEPARTMENT CONTACT PHONE NUMBER:**	

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