

• Jackson State University •
• H-1 B –Form 1 : Request For Information From the Department •

Division of International Studies • Jackson State University • Office Complex Unit 1, Box 17103 • Jackson, MS 39217 • USA
Phone: (601) 979-3796 • Fax: (601) 979-3388
E-mail: patricia.a.jernigan@jsums.edu

Please submit the following information. Be sure to type or print clearly.

It is very important that you read the following carefully and not sign anything unless you are in total agreement.

REQUIRED WAGE DETERMINATION WORKSHEET AND COMPLIANCE AGREEMENT
REGARDING H-1B TEMPORARY WORKERS

PART 1: POSITION DESCRIPTION – TO BE COMPLETED BY DEPARTMENT CHAIR

PLEASE ENTER INFORMATION ABOUT POSITION REQUIREMENTS, NOT PROSPECTIVE EMPLOYEE'S QUALIFICATIONS

Hiring Department/ Unit: _____

School/ Division: _____

Position Title : _____

Position's minimum degree requirement: _____ Field(s) of study: _____

Position's minimum required training and experience (other than that which would or could have been obtained during the normal course of the degree program listed above) Please quantify required training and experience in number of years:

Description of basic job duties:

Proposed Salary: _____

Hours/ Range of hours per week: _____ ☐ Per year **or** ☐ Per nine months

There are no additions or deductions from each pay period, nor overtime. _____ (Check if true)

Benefits: (Check all that apply)

☐ Position includes **NO** additional compensation or benefits

☐ Position includes standard Jackson State University employee benefits

☐ Position includes additional compensation (specify) _____
with an estimated dollar value of (per year): _____

☐ Has this Department received TARP Funding? Yes____ No____

Number of employees applicant will supervise (other than students): _____

Dates of intended employment (Total H-1B limit is 6 years – 3 years allowed per petition): From _____ To _____

Work location address: _____

Occupational title of person who will be employee's immediate supervisor: _____

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<p align="center">PART 2: ACTUAL WAGE DETERMINATION – TO BE COMPLETED BY DEPARTMENT CHAIR</p>	
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Prospective H-1B employee name: _____ : _____ : _____
 Family Name (Last) Given Name (First) Middle Name (if any)

U.S. Social Security # (if any): _____

For "actual wages," the Department of Labor refers to the range of wages paid to all workers similarly employed, i.e., those with the same job title and basic job duties for which educational requirements are the same. Please list below the Employee's J-Number or Social Security Number and actual wages of ALL workers similarly employed in your department. **Explain ANY salary differences by describing factors such as experience, unique skills or abilities, quality of the program from which an employee graduated, extraordinary or meritorious contributions, or other variables resulting in a higher salary being paid when applicable.**

Salary data as of (Month/Day/Year): _____

J Number or Social Security Number	Current Salary	Basis (9 mo/ yr)	When salary differs from prospective employee's, please explain why
1.	\$		
2.	\$		
3.	\$		
4.	\$		
5.	\$		

☐ Presently, the department has no one filling a position comparable to the proposed H-1B.

(Note: If there is no comparable position to the proposed H-1B, the position may have to be compared to others on a school-wide or division-wide basis. If no comparable position exists within the school or division, the dean's office or equivalent must verify this.)

<p align="center">PART 3: PROSPECTIVE EMPLOYEE CONTACT INFORMATION</p>

Current Mailing Address : _____

E-mail address: _____

Phone Number (with country and city code): _____

Fax Number (with country and city code): _____

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PART 4: LEGALLY BINDING EMPLOYER ATTESTATIONS

From US Immigration Service [8 CFR 214.2 (h)] & US Department of Labor [20 CFR Parts 655 and 656]

By signing below, I attest that the above information is true and that the Jackson State University will comply with the following statements as required by the Immigration Act of 1990 and conforming regulations issued by the US Department of Homeland Security and Department of Labor.

- 1) That the H-1B worker will be paid the actual or prevailing wage, **whichever is higher** (Actual wage is weighted average of salaries listed above; prevailing wage is set by Department of Labor);
- 2) That the H-1B worker will also be paid for non-productive time unless contract is for a specified time period common to the industry such as 9 month academic appointments;
- 3) That the H-1B worker will be offered benefits on the same basis as similarly employed US workers;
- 4) That the employment of H-1B workers will not adversely affect the working conditions of workers similarly employed in the area of intended employment;
- 5) That on the date this form is signed and submitted, there is no strike, lockout or work stoppage in the course of a labor dispute in the occupation in which the H-1B worker will be employed at the place of employment;
- 6) That notice of the H-1B application will be provided to workers employed in the occupation in which the H-1B will be employed as signified by posting the Labor Condition Application in two conspicuous places (The Division of International Studies will provide department with the Labor Certification Application along with posting and removal instructions);
- 7) That the reasonable cost of return transportation to the H-1B's home country will be covered by the employer in the event employment is terminated prior to the ending date on the H-1B petition submitted to US Citizenship and Immigration Services. (See dates entered in part 1)

Required Signatures:

Department Chair: _____ Date: _____

Dean: _____ Date: _____

LEGAL NOTES AND COMPLIANCE

Any misrepresentation of facts or employer's failure to comply may result in the following (affecting the entire Jackson State University not just the department):

- Assessment of back pay for the foreign national and/or other employees in the occupational classification
- Maximum of \$1000 fine for each violation
- Imposition of other appropriate administrative remedies
- A suspension of the employer's labor condition applications and a prohibition of filing and approval of labor condition applications or applications for permanent alien employment certification for one year
- A prohibition of the filing of immigrant or nonimmigrant visa petitions with US Immigration and Citizenship Services for at least one year
- Federal criminal penalties for knowing and willful submission of false statements to the Federal Government of \$10,000 and/or imprisonment of up to 5 years

**After completion of parts 1, 2, 3, and 4, return Form 1 and
the department support letter to:
Division of International Studies
Office Complex Unit 1, P.O. Box 17103
Jackson, MS 39217**

**SAMPLE LETTER FROM DEPARTMENT/ PETITIONER
(JACKSON STATE UNIVERSITY LETTERHEAD)**

(DATE)

U.S. Citizenship and Immigration Services
California Service Center
ATTN: CAP EXEMPT H-1B Processing Unit
P.O. Box 10129
Laguna Niguel, CA 92607 -1012

Re: I-129 (H-1B) Petition on behalf of _____

Dear Sir or Madam:

We are writing this letter in support of our petition to classify _____ as an H-1B nonimmigrant, so that we may employ him in the specialty occupation of _____. To this end we describe below the nature of our business operations, the proposed employment, and _____ professional qualifications.

THE PETITIONER

Jackson State University has a distinguished history, rich in the tradition of educating young men and women for leadership, having undergone seven name changes as it grew and developed. Founded as Natchez Seminary in 1877 by the American Baptist Home mission Society, the school was established as Natchez, Mississippi "for the moral, religious and intellectual improvement of Christian leaders of the colored people of Mississippi and the neighboring states." In November 1882, the school was moved to Jackson; in March 1899, the curriculum was expanded and the name was changed to Jackson College.

The state assumed support of the college in 1940. Subsequently, between 1953 and 1956, the curriculum was expanded to include a graduate program and bachelor's programs in the arts and sciences; the name was then changed to Jackson State College in 1956. Further expansion of the curriculum and a notable building program preceded the elevation of Jackson State College to university status on March 15, 1974. In 1979, Jackson State was officially designated *the* Urban University of the State of Mississippi.

Presently, Jackson State University, a public, coeducational institution, is supported by legislative appropriations supplemented by student fees and federal and private grants. The University employs around 1593 employees and is still growing.

THE POSITION OFFERED

At this time we wish to employ _____ in the position of _____. In this position _____ will be responsible for (detailed description of duties)

THE BENEFICIARY'S QUALIFICATIONS

_____ is highly qualified to undertake this employment, based on his relevant education and professional experiences (fully describe applicant's educational and professional experience).

TERMS OF EMPLOYMENT

For his professional services, _____ will receive a base salary of _____ per year. This compensation is meet the prevailing wage for similar positions and will not adversely affect the working condition of similarly employed U. S. workers. Further, if _____ were to be dismissed by Jackson State University prior to the expiration of his H-1B status, we will compensate him for the reasonable cost of his return transportation to his home country. We further understand that _____ voluntary termination of his employment would no be considered as a dismissal.

Based on the foregoing, we submit that _____ is eligible for H-1B classification and we respectfully request a favorable decision on our petition.

Thank you for your consideration.

Respectfully,

**Jackson State University
Request for Payment**

To: Financial Services

From: _____

e-mail: _____

Date: _____

Payment to: DEPARTMENT OF HOMELAND SECURITY

USCIS – CALIFORNIA SERVICE CENTER

ATTN: CAP EXEMPT H-1B PROCESSING UNIT

P.O. Box 10129

Laguna, Niguel, CA 92607-1012

<u>Item</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____

Purpose: Payment of fees for the H1B Petition for:

ATTENTION: PATRICIA JERNIGAN (601-979-3796)

Information to be included on check stub:

Reference: (International Employee's Name)

Text: _____

NOTE: File separate requests for each filing fee so that separate checks will be processed.

Interoffice Memorandum
DIVISION OF INTERNATIONAL STUDIES
Division of International Studies
Office Complex Unit 1, P.O. Box 17103
Jackson, MS 39217
601-979-3796

TO: Financial Services
FROM: Patricia Jernigan, Assistant Dean
Division of International Studies
DATE:

SUBJECT: H-1B Filing Fees For (Name of Applicant)

When filing for H-1B status on behalf of a university employee or intended employee, the Jackson State University may pay the Department of Homeland Security, US Citizenship and Immigration Services the Fraud filing fee and may pay the other fee(s) for the related paperwork (USCIS form I-129). If not, the fees will be the responsibility of the beneficiary.

There are four possible filing fees associated with an H-1B Petition. As of November 23, 2010, the filing fees are as follows:

1. Standard filing fee for the I-129 (necessary for *all* H-1B Petitions) - **\$325**
2. Anti-fraud fee (for all *new* H-1B Petitions with JSU) - **\$500**
3. Premium Processing fee (for expedited processing) - **\$1225.00**
4. Division of International Studies processing fee - **\$500.00**

The following guidelines are given by the USCIS for payment preparation:

- All filing fees must be paid with separate checks or money orders.
- The check(s) or money order(s) must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. Do not mail cash.
- Make the check(s) or money order(s) payable to:

DEPARTMENT OF HOMELAND SECURITY
USCIS – CALIFORNIA SERVICE CENTER
ATTN: CAP EXEMPT H-1B PROCESSING UNIT
P.O. Box 10129
LAGUNA NIGUEL, CA 92607-1012

When the check or money order is ready, it should be returned to the Division of International Studies, NOT the USCIS. **A check sent directly to the USCIS will be returned and will cause delays in the application process.**

• Jackson State University

• H-1 B – Form 2: Request For Information From The Applicant •

Division of International Studies • Jackson State University • Office Complex Unit 1, Box 17103 • Jackson, MS 39217 • USA

Phone: (601) 979-3796 • Fax: (601) 979-3388

E-mail: patricia.a.jernigan@jsums.edu

Please submit all of the following information, even for H-1B extensions:
Be sure to type or print clearly

DO NOT STAPLE ANY DOCUMENTS TOGETHER

H-1B APPLICANT DEMOGRAPHIC INFORMATION

NAME AND RESIDENCE INFORMATION:

Full Name (as it appears in your passport): _____ : _____ : _____
Family Name (Surname) Given Name (First) Middle Name (if any)

All other names used : _____
(Include maiden name and names from all previous marriages)

Place of Birth (required): _____ : _____ : _____
City Province/ State Country

Residence Information (required): _____ : _____
Country of Citizenship Country of Permanent Residence

Date of Birth (Month/ Day/ Year): _____ Gender : _____

CONTACT INFORMATION:

Residential Address Outside of the U.S. : _____

E-mail address: _____ Fax Number: _____

JACKSON STATE UNIVERSITY POSITION INFORMATION:

(Please provide contact information for your intended employer at the Jackson State University)

JSU Academic Department: _____ Supervisor's Name: _____

US VISA HISTORY INFORMATION:

Have you ever been in the United States in any non-immigrant status? ☐ YES or ☐ NO.

If YES, please list all time in the US in non-immigrant visa status. If more space is needed, please attach a separate page for your visa history:

1. Immigration Status (i.e. F-1, J-1, H-4): _____ Dates of Stay (Month/ Day/ Year): _____ through _____

2. Immigration Status (i.e. F-1, J-1, H-4): _____ Dates of Stay (Month/ Day/ Year): _____ through _____

3. Immigration Status (i.e. F-1, J-1, H-4): _____ Dates of Stay (Month/ Day/ Year): _____ through _____

Have you ever been in the United States on a J Visa (J-1 or J-2)? ☐ YES or ☐ NO.

Are you subject to the 212(e), Two-Year Home Residency Requirement (*only possible if currently or previously on J-Visa*)? ☐ YES or ☐ NO.

If subject to 212(e), what is your current status? (Please Check One) ☐ Applied for waiver
☐ Received waiver (Please Include Proof of Waiver)
☐ Completed requirement in home country
☐ None of the above

Have you ever been denied an H-1B? ☐ YES or ☐ NO.

Do you have any pending immigrant petitions (Permanent Residency Application)? ☐ YES or ☐ NO.

Jackson State University

• H-1 B – Form 2: Request For Information From The Applicant •

IMMIGRATION INFORMATION

Passport # : _____ Passport Country: _____

Passport Issue Date (Month/ Day/ Year): _____ Passport Expiry Date (Month/ Day/ Year): _____
[Please note that passports must be renewed at least 6 months prior to their expiration date.]

U.S. Social Security Number (If any): _____

A # (If any. Alien number is listed on EAD Cards, OPT Cards, and on any I-140 or I-485 Notices) : _____

At which consulate will you apply for your H-1B Visa stamp? City (outside of the U.S.): _____ Country: _____

FOR APPLICANTS CURRENTLY IN THE UNITED STATES ONLY

Current Non-Immigrant Visa Status (i.e. F-1, J-1, H-1B) : _____

Date of Last Arrival (stamped on I-94 Card) (Month/ Day/ Year): _____

Date Current Visa Status Expires (Month/ Day/ Year): _____

I-94 # (Eleven Digit Number White Card in Passport): _____

Are you currently on F-1 Optional Practical Training (OPT)? ☐ YES or ☐ NO.

If YES, List dates of OPT: (Month/ Day/ Year): _____ through (Month/ Day/ Year): _____

Do you have any dependents (spouse or children) who will file for H-4 status with this petition? ☐ YES or ☐ NO. If yes, how many?: _____

Residential Address in the U.S. : _____

Phone Number: _____ Fax Number: _____

REQUIRED DOCUMENTATION TO BE SUBMITTED TO THE DIVISION OF INTERNATIONAL STUDIES

****DO NOT STAPLE ANY DOCUMENTS TOGETHER****

- ☐ One support letter from the department attesting to the quality of applicant's work (sample letter attached)
- ☐ Curriculum Vita/ Resume which includes current address, home country address, statement of work history, and list of publications
- ☐ Copy of all university-level academic degrees, diplomas, and transcripts/mark sheets.
 - Diplomas and transcripts/mark sheets do not have to be originals
 - On the back of each photocopy, sign a statement that says "This is a true photocopy and originals are available upon request."
 - Documents not in English will be translated by the Division of International Studies
 - Degrees or documents issued by non-U.S. institutions will have to have a foreign credential evaluation processed by International Programs
- ☐ Copies of 3 most recent pay stubs/ paycheck notifications if currently employed in the US
- ☐ Copy of Passport Identification Pages (Full-page photocopies ONLY. Do not cut the photocopy to the shape of the passport) **
- ☐ Copies of current/ most recent Visa Stamp **
- ☐ Copies of I-94 Card (FRONT AND BACK) **
- ☐ Copies of all previous I-20's, DS-2019's, IAP-66's, and H-1B or H-4 I-797 Approval Notices**
- ☐ Copy of Employment Authorization Card (i.e. F-1 OPT Card or J-2 EAD Card) if currently working on Employment Authorization
- ☐ Proof of I-612 waiver or completion of 212(e) Two-Year Home Residency Requirement if currently or previously on J-Visa**
- ☐ H-4 Application: If you have dependent family members who are already in the U.S. in H-4 status on another visa type, and you would like to change/extend their status as an H-4 dependent, include the following:
 - Form I-539 (available on www.uscis.gov site) and check for \$300 made payable to **Department of Homeland Security**
 - Include the above starred (**) items for your family members
 - Birth Certificate and Marriage Certificate

Jackson State University
• H-1 B – Portability Attestation •

(Only for H-1B Transfers from other employers)

To Whom It May Concern:

I understand that under the U.S. Immigration and Naturalization Act as amended by the American Competitiveness for the 21st Century Act of 2000, [AC21 § 105], [INA § 214 (a) (m)], non-immigrants currently in H-1B status with one employer can begin employment with a new employer as soon as the new employer files the I-129, H-1B petition for new H-1B employment. The new employer and H-1B applicant do not have to wait for the new petition to be approved in order to begin employment. I understand that I am eligible to begin working at the Jackson State University (JSU) provided:

- 1) I have been previously issued an H-1B visa or otherwise provided H-1B non-immigrant status;
- 2) I have been lawfully admitted into the United States as a non-immigrant;
- 3) I have not engaged in employment without authorization since that admission;
- 4) I am currently the beneficiary of a I-129 petition for new H-1B employment which has been filed with the Department of Homeland Security – US Citizenship and Immigration Services before the expiration of my current period of authorized stay
- 5) I recognize that if the new H petition is denied, my “portability” work authorization is automatically terminated.

By signature below, I certify that I have read and understood the conditions set forth in INA § 214 (a)(m), and that I qualify for the “portability” benefit based on my current H-status and the fact that an application for my employment at the Jackson State University has been timely filed and a USCIS receipt notice for the filing has been received by the Division of International Studies. I also recognize that if the petition to transfer my H-status to the Jackson State University is denied that my “portability” work authorization is automatically terminated.

SIGNATURE: _____

PRINTED NAME: _____

DATE: _____

Return Portability Attestation to:
Division of International Studies
Jackson State University
Office Complex Unit 1, Box 17103
Jackson, Mississippi 39217
601-979-3796