



### Unit Checklist for New H-1B1 Petition

- ( ) 1. Unit submits Request to File H-1B1 Petition form (see attached). *Following receipt of this signed form, AgCenter HRM will file the Labor Condition Application. While this form is being filed, the unit should complete Steps 2 and 3.*
  
- ( ) 2. Prepare and/or obtain the following documents which later will accompany the actual visa petition.
  - ( ) a. Information sheet about the person you are filing for (for completion of Form I-129)
  - ( ) b. Evidence of educational background (copies of diplomas and transcripts); must be in English.
  - ( ) c. Current curriculum vitae including publication list (include reprints if available)
  - ( ) d. Obtain a copy of both sides of the prospective employee's original I-94 (*only if already in the U.S.*)
  - ( ) e. Copy of prospective employee's unexpired passport.
  - ( ) f. Letter of offer identifying position title, salary, and period of appointment – *see sample letter*
  - ( ) g. Institutional support letter identifying duties/responsibilities prospective employee will perform; education, training, experience, and background which permit prospective employee to perform these duties, and a statement describing how the position is temporary in nature (i.e., grant funds, annual review, etc.) - *see sample letter*
  - ( ) h. Secure check or money order from the prospective employee in the amount of \$320.00 made payable to Department of Homeland Security (do not abbreviate).
  - ( ) i. Secure check from Accounting Services for the \$500.00 anti-fraud fee made payable to Department of Homeland Security .
  - ( ) j. If prospective employee is currently on an F or J visa, please provide a copy of his/her employment authorization document.
  - ( ) k. If currently in the U.S. and employee wishes to file for H-4 status for dependents:
    - K1. ( ) contact the AgCenter HRM Office for Form I-539.
    - K2. ( ) obtain copy of both sides of all dependents' I-94 (*only if already in the U.S.*)
    - K3. ( ) obtain copy of all dependents' unexpired passports
    - K4. ( ) secure another check or money order in the amount of \$300.00\*

**NOTE:** If the prospective employee and his/her dependents are outside of the U.S., no additional application is required for the dependents. After USCIS notifies the consulate of the H-1B1 approval, the primary applicant and his/her dependent(s) must go to the consulate to obtain their visas. The dependent(s) must bring their passport and proof (e.g., marriage certificate, birth certificate, etc) that they are the primary applicant's dependent(s).

- ( ) 3. Forward all items to the AgCenter HRM Office for review and for preparation of Form I-129.
  
- ( ) 4. The unit will be notified when the Labor Condition Application is approved. *AgCenter HRM will obtain additional required signatures and mail the complete petition package to the U.S. Citizenship and Immigration Services (USCIS). Approval generally can be expected 16 to 24 weeks thereafter. \*\* USCIS offers premium processing service (15 days from the date of receipt at the USCIS) for \$1000. To request this service, contact HRM with this packet and submit a separate check for \$1000. NOTE: Premium processing does not guarantee approval.*

*\* A separate check is required for dependent applications.*



**REQUEST TO FILE NEW H-1B1 PETITION**

Prospective Employee Name \_\_\_\_\_

SSN (if available) \_\_\_\_\_ Unit \_\_\_\_\_

Proposed Title \_\_\_\_\_ Position # \_\_\_\_\_

Proposed Salary \_\_\_\_\_ Proposed Period of Appointment \_\_\_\_\_

Proposed Source of Funds (check all that apply): ( ) State ( ) Federal ( ) Grant

Description of proposed job duties \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I hereby request that procedures for an H-1B1 status petition be initiated for the above employee. I understand that by filing this petition I am agreeing to the following conditions and will provide any funds associated with complying with these conditions.*

*The actual or prevailing wage rate for the position, whichever is higher, must be paid (required rate to be determined by the AgCenter Human Resource Management Office).*

*The actual and prevailing wage rates must be updated every two years (by the AgCenter HRM Office) and the employee's salary must be increased to the new actual/prevaling wage rate if it is higher than the employee's salary at that time.*

*Reasonable costs of return transportation of the alien abroad must be paid if the alien is dismissed from employment by the employer before the end of the period of authorized stay.*

\_\_\_\_\_  
Unit Head Signature

\_\_\_\_\_  
Date

APPROVAL (REQUIRED FOR APPOINTMENTS FROM APPROPRIATED FUNDS):

\_\_\_\_\_  
Vice Chancellor & Director

\_\_\_\_\_  
Date

***\*Attach PER 1a/b (request to fill vacancy), PER-2 (Appointment ), and Affirmative Action Summary if this request is for a new employee. If the request is for an existing employee, attach a PER-2 (Continuation) to continue the employee for the period to be covered by the proposed H-1 visa.***



**INFORMATION SHEET FOR COMPLETION OF FORM I-129 (Petition for Nonimmigrant Worker - H-1B1 Status)**

Family Name \_\_\_\_\_ Given Name \_\_\_\_\_ Middle Initial \_\_\_\_\_

Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_ Country of Birth \_\_\_\_\_ Province of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_ Alien # (if applicable) \_\_\_\_\_

If individual is in the United States, complete the following:

Date of First Arrival \_\_\_\_/\_\_\_\_/\_\_\_\_ Date of Last Arrival \_\_\_\_/\_\_\_\_/\_\_\_\_

Most Recent I-94# \_\_\_\_\_

Current Nonimmigrant Status \_\_\_\_\_ Expiration Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Will dependents apply for H-4 status? ( ) YES - contact HRM for additional forms. ( ) NO

If individual is outside of the United States, complete the following:

Name and Address of Consulate to be notified if petition is approved:

\_\_\_\_\_

\_\_\_\_\_

Individual's Foreign Address

\_\_\_\_\_

\_\_\_\_\_

Does individual & any dependents have a valid passport? ? YES (attach copy) ? NO (If NO, explain below)

\_\_\_\_\_

\_\_\_\_\_

List the individual's and any dependent family members' prior periods of stay in H classification in the U.S. for the last six years (*do not include dates when the individual(s) was not physically present in the U.S.*):

\_\_\_\_\_

\_\_\_\_\_

List the worker's present occupation and summary of prior work experience:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**REQUEST TO FILE NEW H-1B1 PETITION (CONTINUED)**

Has any person in this petition ever been in J-1 or J-2 status? ? YES (If yes, please provide details below.) ? NO

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Is any person in this petition in exclusion or deportation proceedings? ? YES (If yes, please provide details below.) ? NO

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Has any person in this petition ever been denied H-1B1 classification? ? YES (If yes, please provide details below.) ? NO

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Has any person in this petition been in H classification within the last 6 years. ? YES (If yes, please provide details, and dates present in the USA, in H classification.) ? NO

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***SAMPLE LETTER OF OFFER  
FOR NEW H1B1 PETITION***

NOTE: A previously written job offer is acceptable, provided it specifies the job title, prospective dates of employment, and salary.

*Date*

*Employee Name*

*Address*

*Address*

*Dear Employee:*

We are pleased to offer you the position of *job title* with the *Department of XXXXXXXX*. The period of appointment will be *beginning date through ending date*. The salary level associated with this position is \$\$\$,\$\$\$.

We look forward to having you join this department.

Sincerely,

*Immediate Supervisor or Unit Head*



***SAMPLE INSTITUTIONAL SUPPORT LETTER  
FOR NEW H1B1 PETITION***

*Date*

U. S. Citizenship and Immigration Services  
California Service Center  
ATTN: CAP EXEMPT H-1B Processing Unit  
P.O. BOX 30040  
Laguna Niguel, CA 92607-3004

Regarding: Petition for H-1B1 Status for *Employee Name*

This letter is written in support of the petition for H-1B1 status for *Employee Name* for the period ***start date through end date***. This position will have a job title of *Research Associate* and a salary level of *\$\$\$,\$\$\$ per year*.

*This position will be responsible for assisting in research on \_\_\_\_\_  
\_\_\_\_\_. Use this paragraph to elaborate on the duties of the  
employee and the overall impact or purpose of the research.*

The types of work experience and training of *Employee Name* make *him/her* uniquely qualified to perform these duties. He/She has work experience with -- *briefly describe the employee's overall relevant work experience and how it relates to these job duties.*

Favorable consideration of this petition will be appreciated.

Sincerely,

*Immediate Supervisor or Unit Head*

