



H-1B PETITION DEPARTMENT CHECKLIST

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|---------------|----------------|
| Scholar Name: | Liaison Name: |
| Scholar DOB: | Liaison Email: |

Required Department Forms

- **Signed Offer Letter**
- **Prevailing Wage Determination Form** (including instructions) **with original Job Advertisement**
 - The job duties listed on this form must appear identically in the section of the Department Support Letter that speaks to job duties. Please be as detailed as possible. The job title must be identical across all of the documentation.
 - A digital signature is allowed on the form.
- **NYU Actual Wage Determination Form**
 - A digital signature is allowed on the form.
- **Deemed Export Control Questionnaire (Form 7)**
 - This Questionnaire will be submitted to the NYU Office of Compliance and Risk Management.
 - This is not an OGS form. Please address all questions to the Office of Compliance and Risk Management.
 - A digital signature is allowed on the form.
- **Department Support Letter**
 - The job description should be identical to the wording on the Prevailing Wage Determination Form.
 - Send a draft of the letter (word document) for OGS review.
 - OGS will send back to liaison for review, approval, and a wet signature.
- **H-1B Fees in separate checks**
 - **Checks payable to:** United States Department of Homeland Security.
 - **Address on checks:** U.S. Citizenship and Immigration Services, California Service Center, 24000 Avila Road, Room 2312, Laguna Niguel, CA 92677.
 - **All checks should be requested through AP-iBuy. Use handling code TP to have checks delivered directly to OGS. Do not send checks to USCIS. If the foreign national is paying the fee, notify Scholar Services.**
 - **Fees in separate checks:**
 - **\$460:** I-129 Petition fee (can be paid by NYU or scholar*) - Required for all cases
 - **\$500:** Anti-fraud fee (Must be paid by NYU) - Only required if this is the first H-1B petition NYU is filing for this scholar
 - **\$2500:** Premium Processing fee if requested (can be paid by NYU or scholar*)
 - *Scholar can only pay these fees if it will not bring the annual salary down lower than minimum prevailing wage for the position (consult with OGS)
- **Request for Premium Processing**
 - A digital signature is allowed on the form.
- **Signed Checklist/Attestation**
 - A digital signature is allowed on the form.

Checklist of Required Documents

Signed Offer Letter

Prevailing Wage Determination Form with original Job Advertisement

NYU Actual Wage Determination Form

Deemed Export Control Questionnaire

Draft of Department Support Letter

H-1B Fees in separate checks

Request for Premium Processing

Signed Checklist/Attestation



ATTESTATION - PROCESSING/IMPORTANT INFORMATION

The H-1B Process has the following components:

1. Collection of all required documents, including checks, department and foreign national forms.
2. U.S. Department of Labor approval of the Labor Condition Application (LCA). *Generally 7 day processing time.*
3. Assembly and mailing of petition by Scholar Services to USCIS.
4. Review and approval of H-1B petition by the U.S. Citizenship and Immigration Services** (USCIS). *Timeframe dependent on [premium processing](#) or [regular processing times](#).*
5. **If foreign national is overseas:** There are additional steps to consider, including applying for/renewing the H-1B visa overseas with the Department of State upon petition approval, and entering the United States to begin employment. All of these steps take time, which ultimately determine when the foreign national may begin employment.

Pursuant to 8 C.F.R. §214.2(h)(9)(i)(B), the H-1B petition may not be submitted to the USCIS more than six months prior to the employment state date. Due to the various components involved, the amount of time required to prepare each petition can vary. On average, it can take anywhere between 3-6 months to process. This depends on the priority level of the case and if OGS receives all of the information needed in order to proceed with filing the H-1B petition in a timely manner.

Please note that OGS cannot file the LCA until both the Prevailing Wage Determination Form and the Actual Wage Determination form are received. Since the certification process generally takes 7 days, it is crucial that these forms are submitted as soon as possible. Delays in submitting required forms will lead to processing delays and potential loss of work authorization for the Foreign National.

USCIS does offer premium processing options. Please refer to the Request for Premium Processing form for more information on premium processing.

** Please note that every H-1B filing carries with it the risk for Request for Additional Evidence (RFE), Notice of Intent to Deny (NOID), or an outright denial. While NYU OGS has been very successful in ultimately obtaining approvals, it is important to note the possible USCIS adjudication options.

I have read and understood the processing information provided above.

I attest that all the information provided in this packet and to OGS is correct and accurate to the best of my knowledge.

Signature _____ Date _____

*Dept. Administrator/HR Administrator/Chair, etc. signature requested.
The signature may be anyone that is authorized to make these attestations. This may be an electronic signature.*