

H-1B

Labor Condition Application

Request for H-1B Petition



Office of International Education
International Scholar & Student Services
University of California, Santa Cruz
Classroom Bldg, 107
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LABOR CONDITION APPLICATION REQUIREMENTS FOR H-1B PETITIONS

The Immigration Act of 1990 requires all employers to submit a Labor Condition Application to the Department of Labor in addition to the forms required by U.S. Citizenship and Immigration Services (USCIS).

Name of employee (as it appears on passport): _____
(Last/Family Name), (First) (Middle)

New Petition Extension of Existing Petition Concurrent Employment Portability

Begin & end date of employment (mm/dd/yyyy): ____ / ____ / ____ - ____ / ____ / ____

Labor Condition Application posting dates (mm/dd/yyyy) : ____ / ____ / ____ - ____ / ____ / ____

LCA posting locations (office name, room #, building name): 1) _____ & 2) _____

Position Information:

Division: _____ Department: _____

Divisional Dean's Office location: _____ Position Title: _____

Salary: \$ _____ per (hr/yr): _____ Percent time: _____

Employment Worksite (rm, bldg): _____ # of H-1B Nonimmigrants in this position: **1**

We certify that:

1. The salary to be paid to the above-named foreign national will be equivalent to U.S. workers in the same classification.
2. The vacation time, sick leave and other benefits offered to the alien are equivalent to U.S. workers in the same classification.
3. Employing the foreign national will not adversely affect the working conditions of similarly employed workers.
4. There is no strike, lockout, or work stoppage due to a labor dispute in this occupation.

5. A notice of our intent to file the Labor Condition Application (enclosed) has been posted in two conspicuous locations for 10 consecutive days. Location and dates listed above.

OR, we have notified the bargaining unit or union of our intent to file this Labor Condition Application and a copy of the union notification is attached.

6. We will have the Labor Condition Application and supporting documentation (salary scale, copy of posting notice with dates and 2 locations posted or cc. of union notification) available for public examination within one working day after the date on which the application is filed with the Department of Labor. We also agree to keep supporting documentation for the Labor Condition Application for one year beyond the end of the foreign national's employment.
7. We have read the requirements on the ETA 9035 CP form, <http://www.ows.doleta.gov>, and agree to comply full with the terms of the Labor Condition Application stated above for the duration of the foreign national's employment in H-1B status at UCSC.
8. **We fully understand that any inaccurate information contained in the Labor Condition Application may incur a penalty of:**
 - a. **a fine of up to \$1000 for each violation;**
 - b. **back wages paid within 30 days;**
 - c. **UCSC being barred from filing any H-1B, E-3, or permanent residency petitions for at least one year; and**
 - d. **any other administrative remedies deemed "appropriate" by the Department of Labor.**

Certified by:

Department Chair: _____
(for all positions) Signature Print name Department

Principal Investigator: _____
(for research positions) Signature Print name Department

Divisional Dean: _____
(for all positions) Signature Print name Division

Public Disclosure File to be kept at Dean's Office: Original salary scale, Posting Notice (union notification if appropriate), LCA, Prevailing Wage Determination. Additional guidelines will be given to division with copy of LCA.

Please return to ISSS with all documents listed on H-1B Application Checklist.