



## INTERNATIONAL STUDENT & SCHOLAR SERVICES

The University of Alabama at Birmingham

### **H-1B EXTENSION/AMENDMENT PACKET – NON-CLINICAL**

**H-1B Employee Name:** \_\_\_\_\_

Please complete this packet to begin the process of extending or amending existing H-1B work authorization. Email the complete packet and additional required documents to [isss@uab.edu](mailto:isss@uab.edu). Hard copy originals are not required.

#### **ISSS needs to receive the following materials contained in this packet:**

- LCA Form
- Export Control Screening Form
- Check Request Memo (for ISSS to request UAB extension check(s) in Oracle)
- Signed Expectations document

**In addition to** a copy of the employee's new contract, offer letter, or postdoc letter confirming reappointment (as applicable)

A **general**, absolute best-case timeline for the entire H-1B process, **depending on how quickly and accurately the necessary information is provided by both the department and the employee**, is:

- 7-10 business days for the LCA portion of the process (*i.e.*, while the Department of Labor certifies the wage, which is an electronic process that cannot be expedited)
- 10 business days to finalize the H-1B forms and obtain necessary signatures
- 15 calendar days for USCIS to adjudicate (meaning approve, deny, or send a Request for Evidence) the H-1B petition *if* premium processing is requested
- 2.5-4 months for adjudication by USCIS if premium processing is *not* requested
- 7-10 business days to receive the hard copy Approval Notice from the USCIS California Service Center

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**NOTE:** *Extending/amending employees can continue working for up to 240 days while an extension petition is pending. They will need to update their Form I-9 based on the USCIS receipt notice. It is not strictly necessary to premium process an extension petition unless the department and/or employee decide otherwise. Employees are responsible for making an appointment with either ISSS to update Form I-9 in Guardian.*

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*Again, the above timeline is valid only to the extent ISSS receives all information in a timely and complete manner. Depending on volume, it can easily take two months to prepare the entire filing. ISSS will collect any documents needed from the employee separately via email.*

You and the H-1B employee will receive an automated email from our system on the afternoon the H-1B extension petition is filed, and another email when the petition is approved. Please do not email ISSS asking for "updates" in the interim.



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INFORMATION REQUIRED TO FILE A LABOR CONDITION APPLICATION (“LCA”) WITH THE DEPARTMENT OF LABOR PRIOR TO FILING AN H-1B PETITION (NON-CLINICAL)

Do not forward to the employee for completion. The employee’s supervisor and/or a department administrator with actual knowledge of the job duties must complete this form. Thank you!

BASICS

Job title in Oracle: \_\_\_\_\_ Salary: \$ \_\_\_\_\_

Supervisor: \_\_\_\_\_

Sponsoring Department/Division \_\_\_\_\_

Desired dates of continued employment: \_\_\_\_\_ to \_\_\_\_\_ (3 years maximum)
MM/DD/YYYY MM/DD/YYYY

PHYSICAL LOCATION(S) AND SCHEDULE

Please provide every address where the employee can be found working on a daily basis. Do NOT list the department’s administrative office address. Do include the employee’s office address if they will have office space in addition to a lab location. We need all address(es) where, if a Department of Labor or US Citizenship and Immigration Services Fraud Detection and National Security Unit (USCIS FDNS) representative arrived unannounced on campus, he/she could possibly find the employee working. Please list all locations where the employee will work. We must know all such addresses to protect both the University and the employee in the event of a site visit from a federal agency. UAB and other employers nationwide routinely have such visits.

Street number Street Room/lab/hospital/clinic Schedule

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If more space is needed, please include the additional address(es) in the body of your email when you return this pdf.

DUTIES

Please describe the employee’s daily duties/tasks/projects, including a percentage effort for each task in detail below, or provide the duties and research project information in a Word document along with this pdf. We use this fillable pdf and Word documents to expedite transferring information into the H-1B support letter we draft, so ability to cut-and-paste is highly valued.

Duty 1: \_\_\_\_\_  
\_\_\_\_\_

Percentage of time spent on Duty 1: \_\_\_\_\_%

Duty 2: \_\_\_\_\_  
\_\_\_\_\_

Percentage of time spent on Duty 2: \_\_\_\_\_%

Duty 3: \_\_\_\_\_  
\_\_\_\_\_

Percentage of time spent on Duty 3: \_\_\_\_\_%

Duty 4: \_\_\_\_\_  
\_\_\_\_\_

Percentage of time spent on Duty 4: \_\_\_\_\_%

Is the employee working on or supporting any particular research projects covered on a UAB website? If so, list the names or provide the websites of the project(s) below (Please provide a summary and the aims/goals of the research project in a word doc):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## QUALIFICATIONS

What **specific** degree field(s) prepare someone for this job? We must be able to tell US Citizenship and Immigration Services a few related fields. *E.g.*, “biomedical engineering, molecular biology, or a related field.” \_\_\_\_\_

What specific **skills** (*e.g.*, certain programming language, certificate in a particular area of research, etc.) *beyond education* are required to do this job?

\_\_\_\_\_  
\_\_\_\_\_

How many other employees will this person supervise (*i.e.*, how many people will they have the authority to **hire, discipline, and fire**)? \_\_\_\_\_ Do **not** include general oversight of undergraduate/graduate students.

Indicate which level of each of the following factors the position itself requires. Do not base your answers on the prospective H-1B employee's particular level of knowledge or responsibilities.

**FACTOR**

**LEVEL**

- 1. Knowledge  Basic understanding of occupation  
 Advanced skills and diversified knowledge
  
- 2. Complexity  Requires worker to perform routine or moderately complex tasks  
 Requires judgement and independent evaluation
  
- 3. Supervision  Worker receives specific instructions  
 Worker receives only technical guidance
  
- 4. Review of Work  Work is closely monitored & reviewed for accuracy  
 Work is reviewed for sound judgment and effectiveness

**REQUIRED SIGNATURES AND CONTACT INFORMATION**

Direct Supervisor or PI Signature \_\_\_\_\_ Date \_\_\_\_\_

Direct Supervisor or PI Printed Name (please print neatly) \_\_\_\_\_

Department administration contact for questions pertaining to this H-1B petition and to be copied on automatic email reminders: Name \_\_\_\_\_ Email Address \_\_\_\_\_

Departmental UPS or FedEx account (not GL string or corporate card number) for shipping H-1B petition to USCIS: UPS Account \_\_\_\_\_ or FedEx account \_\_\_\_\_

Please note: signing above gives ISSS permission to the use the courier (UPS or FedEx) shipping account not only to ship the petition, but also when necessary for any subsequent correspondence with USCIS about this matter, including responding to a Request for Evidence and withdrawing the petition in the event of resignation or termination.

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**Department administrator:** please email the complete packet and additional required documents to [iss@uab.edu](mailto:iss@uab.edu). Thanks!

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**INFORMATION NEEDED FOR H-1B EXPORT CONTROL SCREENING**

Under federal Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR), US employers must seek and receive a license before releasing controlled technology or technical data to non-immigrant workers employed in H-1B status. Even if such information is released to the H-1B employee within the US, the regulations consider the release a “deemed export” as if the information had actually been sent to the H-1B employee’s home country.

In essence, the [EAR](#) pertains to the production, development, or use of “dual use” items found on the [Commerce Control List](#), while the [ITAR](#) pertains to technical data directly related to defense articles found on the [US Munitions List](#).

As part of the USCIS forms to file an H-1B petition, UAB is required to attest and certify that it has reviewed the EAR and ITAR and determined whether or not controlled technology or technical data will be a deemed export in this situation and has applied for a license, if necessary.

For additional background and help determining whether export control regulations will apply to your international hire, please refer to the University Compliance Office’s [Export Control Decision Tree](#).

**Job Title/Position Offered:** \_\_\_\_\_

**Employee family name:** \_\_\_\_\_ **Employee given name(s):** \_\_\_\_\_

1. To what research technology and academic facilities, including computer servers and laboratories, will the employee have access? [Include information about access to potentially controlled and sensitive equipment, software, personnel, etc.]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Will the employee be involved with any projects that (select all that apply):

- Are proprietary or involve proprietary information? Yes  No
- Require the employee to obtain a certain security clearance? Yes  No
- Involve research overseen by the Office of Sponsored Programs? Yes  No

If yes, have any of the projects been issued a Technology Control Plan (TCP)? Yes  No   
**If yes, please attach a copy of the TCP to this form.**

Have publication or access and dissemination restrictions imposed by the sponsor, including but not limited to confidential disclosure, proprietary information agreements, and/or material transfer agreements? Yes  No

Are departmentally-funded? Yes  No

Require foreign national approval by the sponsor? Yes  No

If you answered "yes" to any of the above, please explain. List and describe all projects. [Use additional space as needed.]

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**With respect to technology or technical data UAB will release or otherwise provide to the international employee, I certify that I have reviewed the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR) and, to the best of my knowledge, have determined that at the time of filing the H-1B petition, a license is not required from either the US Department of Commerce or the US Department of State to release such technology or technical data to the international employee.**

Supervisor/PI Name: \_\_\_\_\_ Supervisor/PI Signature: \_\_\_\_\_

Supervisor/PI Title: \_\_\_\_\_ Date: \_\_\_\_\_

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*FOR OFFICE OF INTERNATIONAL COMPLIANCE AND EXPORT CONTROL USE ONLY*

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\_\_\_\_\_  
Director of International Compliance and Export Control

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Date: \_\_\_\_\_



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**INSTRUCTIONS AND JUSTIFICATION FOR H-1B IMMIGRATION CHECK REQUEST**

Two different fees can be required to *extend* H-1B work authorization for a UAB employee.

A \$460 processing fee is required every time UAB files a petition for H-1B employment—whether for initial employment, change of employer, or extension of status. The department/division **must** pay this fee.

For an additional \$2,500 the department can request premium processing. USCIS will make a determination (approval, denial, or Request for Evidence) on the petition within 15 calendar days. **Except in the School of Medicine**, either the department **or** the employee can pay the Premium Processing fee—it is up to each department/unit to decide who will pay. **All School of Medicine petitions must include a check for Premium Processing paid for by the department/division.**

**Department administrators:** Please provide the Oracle account string you wish ISSS to use to request a USCIS filing fee check drawn on a UAB account:

\_\_\_\_\_

*IF YOU WISH TO CREATE THE PAYMENT REQUEST IN ORACLE ON YOUR OWN, you must enter the correct Payment Type (Vendor Services), Vendor Number (422584), and Object Code (8609990) correctly in order to prepopulate the field with the correct Call Extension number. If you do not enter this precise combination, ISSS will not be able to receive a paper check. USCIS requires paper checks to be attached to each H-1B petition.*

*Please enter the above combination of information correctly so that the UAB Post Office can easily identify USCIS checks and remove them from the mail pile. ISSS picks up USCIS checks in-person every Thursday from the 801 Building and staples them to the H1B petition being filed for each individual employee. **THANKS!***

- Department administrators are responsible for requesting any check(s) needing to be drawn on an HSF account, as ISSS does not have access to the Lawson HSF accounting system.
- This is an extension or amendment. We need a check for **\$460**.
- We wish to expedite this petition via Premium Processing. We need an additional check for **\$2,500. [MUST include if in SOM]**

H-1B Beneficiary Name: \_\_\_\_\_

If you have any questions, please contact International Student & Scholar Services at [iss@uab.edu](mailto:iss@uab.edu).