

H-1B Statement of Responsibility

Purpose: <input type="checkbox"/> New (scholar is outside the U.S.) <input type="checkbox"/> Change of Status <input type="checkbox"/> Concurrent Employment		
<input type="checkbox"/> Extension of Status <input type="checkbox"/> Change of Employer <input type="checkbox"/> Amendment of Current Employment		
H-1B Recipient's Last Name:		H-1B Recipient's First Name:
UCB Petition Dates. The H-1B end date cannot be later than the approved University appointment end date, except with written agreement of the appropriate Dean, Personnel Office or Vice Chancellor for Research. For <u>extensions</u> , enter the beginning date as the day <u>after</u> the current I-797 Approval Notice expires. We recommend that you request the maximum time if you have guaranteed funding for the entire H-1B period.		
Begin Date (mm/dd/yyyy):	End Date(mm/dd/yyyy):	Dean or Director Who Approved Appointment:

Statement of Responsibility of Requesting Department

1. To the best of our knowledge, the information and supporting documents submitted to Berkeley International Office (BIO) are true and accurate.
2. The Immigration Act of 1990 requires BIO to submit a Labor Condition Application (LCA) to the Department of Labor (DOL). Before BIO can submit the LCA, the employing department must certify the following:
 - a. The salary being paid to the above-named employee is at least the actual wage paid to all other UC Berkeley individuals with similar experience and qualifications for the specific employment or the prevailing wage level for the occupation in the area of employment, whichever is higher.
 - b. The vacation time, sick leave, and other benefits offered to this employee are equivalent to those offered to other UC Berkeley employees in the same classification.
 - c. Employing this person will not adversely affect the working conditions of other UC Berkeley workers similarly employed.
 - d. There is no strike, lockout, or work stoppage due to labor dispute in this occupation.
 - e. If the position is not represented by bargaining unit, a "Notice of Intent to File a Labor Condition Application" form will be posted in two conspicuous locations at each place of employment for ten business days. OR
 - f. If this job classification is represented by a union or a bargaining unit this notice is not being posted. Rather BIO will notify the Manager of Labor Relations who will then notify the bargaining unit or union.
 - g. We agree to comply fully with the terms of the LCA for the duration of the H-1B employment period.
 - h. We agree to offer to pay the reasonable cost of return transportation to the employee's home country, if s/he is dismissed prior to the end of the authorized period of H-1B employment.
3. We understand that BIO is making a prevailing wage determination by applying guidelines issued by DOL. If subsequently, DOL determines that the prevailing wage is higher than BIO's self-determination, the Department will be responsible for paying the higher wages retroactively.
4. We understand that if the H-1B employee will work at a U.S. worksite outside the geographical area listed in the LCA for more than 60 workdays (30 workdays in some cases) in any calendar year, the employer must obtain a new certified LCA, and file an amended H-1B petition with USCIS, to include the additional area(s) of work in the H 1B work authorization. We agree to notify BIO in advance of any potential additional work areas.

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5. We agree to pay all H-1B petition-related costs (including BIO fees, all USCIS filing fees, and mailing costs).
6. We agree to notify BIO in writing, of any material proposed changes in the terms and conditions of this H-1B employment, including salary, job duties, percentage of time worked, change in, or addition of work location, or employee benefits listed on this request form. We understand that such changes must be consistent with the information submitted to USCIS for this H-1B petition, and must comply with the federal H 1B regulations.
7. We understand that we are responsible for keeping track of the expiration date of the employee's H-1B status and for timely submission of an extension request to BIO via Campus Shared Services. The H-1B extension request should be submitted to BIO at least 2 months before the employee's current H-1B expiration date.

Department Chair Name and Title:	Signature:	Date (mm/dd/yyyy):
Supervisor/Host Faculty Name and Title:	Signature:	Date (mm/dd/yyyy):

Revised 10/2018