

Georgetown University E-3 Request Form

The E-3 visa is a non-immigrant status used to bring Australian nationals to the United States temporarily to employ them in positions that require specialized training or knowledge. To qualify for this category, the position must require *at least* a Bachelor's degree in the field as a minimal entry-level requirement. E-3 status may be obtained in increments of up to two years and there is no limit on the total length of stay for E-3 visa holders. The entire E-3 process may take up to six months to complete. Therefore, please allow ample processing time. E-3 petitions are currently *not* eligible for premium processing.

The attached form is an internal, Georgetown form designed to provide the Office of International Programs (OIP) with the information needed to complete all the necessary immigration-related paperwork. This form will become the cornerstone of all the documentation filed with the various federal agencies. Therefore, it is important to be as accurate as possible. The Employee should complete the employee section of the form while the sponsoring Georgetown Department should complete the Departmental Section. The entire form and all supporting documentation (see checklist at the bottom of this page) should be returned to:

Sandra Layton
Office of International Programs
Georgetown University
1421 37th St., NW
2 Poulton, Box 571013
Washington, D.C. 20057-1013
tel. (202) 687-5867 fax (202) 687-5944

Department Checklist

The following documents are needed from the department:

- [] Department Portion of Request Form, needed for OIP to determine the prevailing wage, file the Labor Condition Application with DOL, and to prepare official USCIS petition.
- [] For staff positions, copies of the Position Description and memo from Human Resources classifying the position and stating the hiring salary range.
- [] Contract or official letter from Department to employee offering position. Must include job description, position title, and salary.
- [] Letter in support of E-3 petition, outlining terms of employment including salary, educational and experiential requirements of job, and qualifications of foreign national. (See sample on following page)

Components	Sample Letter
<p>¶1: ESTABLISH PURPOSE</p> <p>¶2: BACKGROUND ON COLLEGE AND DEPARTMENT; OUTLINE JOB REQUIREMENTS</p> <p>¶3: OUTLINE FOREIGN NATIONAL'S EDUCATION AND EXPERIENCE</p> <p>¶4: CONNECT THE FOREIGN NATIONAL'S BACKGROUND WITH THE JOB REQUIREMENTS. GIVE THE JOB TITLE, JOB DESCRIPTION, AND SOME REASON FOR HIS/HER TEMPORARY EMPLOYMENT (LARGE NUMBER OF PEOPLE TAKING COURSE, FAILURE TO FIND ANYONE MORE QUALIFIED, ETC.)</p> <p>¶5: SET FORTH THE TERMS OF EMPLOYMENT, INCLUDING ANY CONTINGENCIES.</p>	<p>Date</p> <p>Paul E. Novak, Jr. Director U.S. Citizenship and Immigration Services Vermont Service Center 75 Lower Welden Street St. Albans, VT 05479-0001</p> <p>RE: E-3 petition on behalf of Ms. Jane Doe</p> <p>Dear Mr. Novak:</p> <p>This letter is being submitted in support of the E-3 petition filed by Georgetown University on behalf of Ms. Jane Doe, a British national.</p> <p>Georgetown University's College of Engineering has been engaged in the development of equipment and materials for the space industry since 1957. At present, we are developing a widget that will go to the moon. Our College is recognized as a leader in this field. The Department of Electrical Engineering has an opening for an Assistant Professor to teach and assist in ongoing widget research and development. The position requires a Ph.D. in Electrical Engineering and five years experience in widget design.</p> <p>Ms. Doe received her Ph.D. in Electrical Engineering from Stanford University in May 1985. She was an honor student and received numerous academic awards. She has served as a technical advisor to the British program for the past five years.</p> <p>Because of Ms. Doe's outstanding educational background and experience, we wish to employ her as an Assistant Professor of Electrical Engineering for a two year period, beginning January 16, 2007. In that capacity, Ms. Doe will teach, assist in research, etc.</p> <p>It is our intention to employ Ms. Doe for a temporary period of two years at an annual salary of \$45,000.</p> <p>Your attention to this matter is appreciated.</p> <p>Sincerely,</p> <p>Joe Hoya Dean, College of Engineering</p>

Department Portion

Full Name of Employee:	
Georgetown Department and Address:	
Supervisor's Name and Title:	
Phone:	Email:
Administrative Contact Person:	
Department Phone:	Email: Fax:
Location of Position: <input type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus at:	
Second Site of Activity (if applicable, please include complete address):	
Employee's Current Status:	
<input type="checkbox"/> New Employment (includes current employees in another non-immigrant status)	
<input type="checkbox"/> Extension of current employee already in E-3 status	
<input type="checkbox"/> Change to Georgetown as employer (new employee already in E-3 status)	
<input type="checkbox"/> Add Georgetown as Additional Employer (employee already in E-3 status)	
Dates Covered by this Petition: From ____/____/____ to ____/____/____ (Individuals can be sponsored for up to two years at a time)	
Type of Employment: <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time: _____ Hours per week or _____ %FTE	
Job Title:	
Job Duties:	
Number of people this person officially supervises: _____. Their title(s): _____	
Number of hours per week: _____ or % FTE: _____	
Salary Offered:	
<u>Minimum Education Required</u> to Function in the Job Degree: Field:	<u>Minimum Experience Required</u> to Function in the Job ____ Years/ ____ Months
List any other skills, licenses, specialized knowledge, etc. required for job:	
If Petition is to be sent FEDEX, Account #: _____ and Budget Code: _____	

Internal Notice of Filing of Labor Condition Application in Support of an E-3 Petition

-THIS IS NOT A JOB VACANCY ANNOUNCEMENT-

Department of Labor regulations require that employees be notified of the filing of an E-3 petition. To ensure compliance with this legal requirement, please follow the instructions below. Provide all requested information below.

- Make two copies of this page for each different location where the E-3 employee will work. Post these notices in two conspicuous areas within those locations (bulletin boards, break or copy room, etc.). These notices are to remain posted for ten business days.
- Return this original with the rest of the E-3 request. Should the wage offered fail to meet prevailing wage guidelines in accordance with Department of Labor regulations, it may be necessary to repost this memo with the revised information.
- At the end of the posting period, remove and discard the posted notices.

General Information Regarding this Employment:

Number of E-3 employees covered by this petition: ONE

Job Title: _____

Wages Offered: \$ _____

Period of E-3 employment requested: _____ to _____ (Month/Day/Year)

Location(s) of work: City _____ State _____
 City _____ State _____
 City _____ State _____

Two copies of this notice must be posted at each different work site where the individual will work. Copies of this posting have been posted at the following locations:

1. _____
2. _____

Date posted: _____ (Month/Day/Year) Date to be removed: _____ (Month/Day/Year)

Complaints alleging misrepresentation of material facts used to support the Labor Condition Application and/or failure to comply with the terms of the Labor Condition Application may be filed with any office of the Wage and Hour Division of the U.S. Department of Labor.

Signature: _____

Date: _____

Identification of Similarly Employed Workers

(Confidential - for DOL Inspection file)

If you will have the employee deliver this packet to OIP, please seal this information in an envelope.

Position Title:

In the spaces below, list all employees in the Department who hold the above listed title AND:

1. Have the same type of duties and responsibilities as the beneficiary of this petition AND
2. Have qualifications, education, and experience similar to the beneficiary of this petition.

Use additional pages, if needed.

NAME	START DATE	SALARY
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Further, I attest to the following:

1. The E-3 non-immigrant will be paid the higher of either the actual wage or the prevailing wage and is eligible for the same benefits as other similarly employed individuals.
2. The employment of this individual will not adversely affect working conditions of the individuals listed above.
3. There is no strike, lockout or work stoppage in this department for the position indicated above. Should such an event occur, the department will notify the appropriate university immigration specialist.

Department/Personnel Administrator Signature:

Date:

Wage Determination System (for Public Inspection File)

For Academic Positions: Indicate which systems/factors are used to determine wages paid individuals listed on previous page. Responses should be detailed. Include copies of any applicable university salary/grade scales. Describe how these factors apply to the foreign employee.

For Staff Positions: Ignore this page and provide the Position Description and the Human Resources Classification memo instead.

Factors Considered (Check all that apply)	Describe how factors affect placement on wage range	Describe how the individual fits into wage scale based on own qualifications
Experience <input type="checkbox"/> Length of experience <input type="checkbox"/> Breadth of experience <input type="checkbox"/> Type of experience		
Qualifications <input type="checkbox"/> Level/Subject areas of degrees <input type="checkbox"/> Skills, abilities, specific expertise <input type="checkbox"/> Specialized knowledge		
Job Responsibility/Function (Specify) <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____		
Other Factors (Specify) <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____		

Wage Range for this Position (Fill in actual wage rates from salary information from previous page. Place an "X" on the scale to indicate where the employee's salary falls in the range.)

Lowest

Midpoint

Highest

\$ _____\$ _____\$ _____

DECLARATION OF THE DEPARTMENT

The department will comply with the following regulations during the E-3 application process and during the employment of the above-named foreign national under the terms of E-3 status.

1. The department acknowledges that hiring this foreign national will not adversely affect the working conditions of other workers employed by the department. Additionally there is no strike, lockout, or other labor disputes in the occupation. The department has complied with the internal job posting requirements.
2. The department has allocated funds to cover the salary of the employee for the duration of his/her employment under the terms of this petition. The employee is eligible for all benefits available to other similarly situated employees. For the duration of this status, the department will not place the employee in an unpaid status, unless it is determined that the situation is consistent with immigration law.
3. The department will notify the university's immigration specialist if the terms of the employment change during the validity period of this E-3 petition so an amended petition can be filed with U.S. Citizenship & Immigration Services. Changes requiring Department of Labor and/or USCIS notification include, but are not limited to changes in the hours worked, significant changes in job duties, changes in wages (other than regularly scheduled merit increases), and changes in location of position.
4. The department agrees to pay the reasonable costs of the foreign national's return trip to his/her home country should the department terminate his/her employment before the expiration of the employment approved by USCIS.
5. The department authorizes OIP to sign the official Department of Labor and U.S. Citizenship & Immigration Services paperwork required for this petition.

Department approvals:

Requestor/Supervisor: _____ Date: _____

Dept./Personnel Administrator: _____ Date: _____

Department Chair: _____ Date: _____

This packet should be submitted to:

Sandra Layton (for Law Center and Medical center)

Rachel Rubin (for Main Campus) at:

Office of International Programs
1421 37th Street, NW
2nd Floor Poulton, Box 571013
Washington, DC 20057-1013
Telephone: (202) 687-5867
Fax: (202) 687-5944

EMPLOYEE PORTION

Please answer all questions as accurately as possible as this information will be used to prepare the official application filed with U.S. Citizenship and Immigration Services.

Name (family, first, middle):

All other names used:

Date of Birth: _____ (Month/Day/Year)

Gender: Female Male

City/Province of Birth: _____

U.S. Social Security #: _____

Country of Birth: _____

A# (if applicable): _____

Country of Citizenship: _____

Current Home Address:

Home Telephone:

Work Telephone:

Fax:

Email Address:

Foreign Address:

Telephone:

Highest Academic Degree:

Major Field of Study:

Current Occupation:

E-3 processing (please select manner in which you plan to obtain your E-3 status):

At U.S Embassy/Consulate located in: _____ (city and country)

Change of status to E-3 from another classification (travel outside the United States is not recommended while E-3 petition is pending)

E-3 Extension

E-3 Transfer

E-3 Concurrent Employment

Please indicate at which Consulate you will apply for your E-3 visa if a change/extension/transfer of status cannot be granted: _____ (city and country).

Passport Number:

Issue Date:

Expiration Date:

Number of dependents included in the application:

E-3 dependent applicants must complete the I-539 Form if in the United States (See page 13).

Name (family, first, middle): _____

Prior E-3 Status
 Has anyone ever petitioned for E-3 status for you?
 No Yes (explain) _____
 Have you ever been denied E-3 status?
 No Yes (explain) _____
 Have you ever held E-3 status?
 No Yes (explain) _____

Petitions for Permanent Residency
 Has a petition for Permanent Residency ever been filed on your behalf?
 No
 Yes, explain: _____ (please also attach a copy of the receipt notice)

J-1 Status
 Have you ever held J-1 status?
 No
 Yes: Did you have a 2-year home residency requirement? No Yes
 Have you fulfilled or received a waiver of this requirement?
 Yes (attach copy of waiver)
 No (explain) _____

<p>Current Status in the United States Current non-immigrant status: Status upon last entry into the U.S.:</p>	<p>Date of last entry into the U.S.: I-94 Card Number: Expiration Date:</p>
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Employee Checklist

I am enclosing (check all that apply):

- Copy of my acceptance of the job offered to me
- Copy of my Curriculum Vitae (C.V.) or Resume
- Copy of my Diploma with English translations
- Copy of my academic transcripts with English translations
- Copy of recent pay statements, if this is an E-3 transfer application
- \$320 Check, payable to U.S. Citizenship and Immigration Services to cover processing fee
- If in the U.S., copy of passport ID page, I-94 card (front & back), visa stamp and copy of:
 - Employment Authorization Document
 - All I-20 forms if in F status
 - All DS-2019 Forms (if in J status) and evidence of waiver, if applicable
 - All I-797 approval notices if in E-3 status
- If dependents seeking E-3 dependents status are in the U.S., Form I-539 with copies of passport(s), I-94 card(s) and marriage and/or birth certificates.
- \$300 check payable to U.S. Citizenship and Immigration Services if filing Form I-539
- Form I-765 (if E-3 dependent wants to apply for work permission) accompanied by \$340 check payable to U.S. Citizenship and Immigration Services

(Please note that these checks **should not** be combined with the \$320 filing fee check.)

I certify that to the best of my knowledge, the information provided is accurate.

 Signature of E-3 Applicant

 Date

Employment History during the Last 7 Years

Dates of Employment	Job Title, Company Name & Address	U.S. Non-Immigrant Status (If any)

Signature of E-3 Applicant

Date

Mandatory Statement for Applicants Currently in the United States

NAME: _____

Please check the option below which best describes your situation and provide the requested information. When you have done so, please indicate your understanding of your employment situation by signing below. Your application will not be processed without your signature on this page. If you have difficulty in deciding which classification applies to you, please contact OIP's Immigration Specialist for clarification.

- I have a USCIS-issued work authorization card which allows me to work for any employer. My work permission expires on _____. I understand that I can work only under the terms and conditions of my current work authorization until the day it expires. I also understand that if this E-3 petition is not approved by the day my current work authorization expires; I must stop working and be removed from payroll until the E-3 petition is approved.
- I am not currently employed at Georgetown University. I do not have work authorization which allows me to work at Georgetown. I understand that I cannot be employed at Georgetown until my E-3 status is approved by U.S. Citizenship and Immigration Services.
- I am currently employed/conducting research at Georgetown and am applying for a change of status since I currently do not hold E-3 status. I currently hold _____ status which expires on _____. I understand that I can work only under the terms and conditions of my current work authorization until the day it expires. I also understand that if this E-3 petition is not approved by the day my current work authorization expires; I must stop working and be removed from payroll until the E-3 petition is approved.
- I am currently employed at Georgetown and I am applying for an extension of my Georgetown-sponsored E-3 status. I understand that I may continue to work at Georgetown under the terms and conditions of my current E-3 status. I also understand that, if my current E-3 expires before the extension is approved, I may continue working for an additional 240 days, provided USCIS receives the extension petition prior to the expiration of my current E-3 status.
- I am currently in E-3 status with another employer. I understand that I can only begin working at Georgetown when OIP has received confirmation that USCIS has received the E-3 application. I also understand that if the petition is denied, I will no longer have authorization to work at Georgetown.

I certify that the above indicated statement best describes my situation. I fully understand the limitations of the status I currently hold as described above.

Signature of E-3 Applicant

Date

Photocopy Statement

Copies of documents submitted are exact photocopies of unaltered original documents. I understand that I may be required to submit original documents to an Immigration or Consular official at a later date.

Signature: _____

Printed Name: _____

Date: _____

Form I-539

- Complete only for family members already inside the United States who will be dependents on your E-3 Visa. (Note: E-3 dependent status holders may apply for work permission with form I-765 with this petition.)
- This form should contain only information about your dependents, not you (except Part 3, #4).
- If your spouse is listed on the form, he/she should sign it, not you. You may however, sign the form for any underage children.
- Copies of their passport ID pages and current I-94 cards (front and back) should accompany this application.
- There is a \$300 filing fee for the I-539. Please enclose a check payable to USCIS (U.S. Citizenship and Immigration Services).

NOTE: If you have no dependents, disregard this section.