

## GEORGETOWN UNIVERSITY E-3 REQUEST FORM

The E-3 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 a specific specialty as a minimal entry-level requirement and the employee must meet the minimum requirements at the time of application. Staff positions which require any Bachelor's degree or no degree at all do not qualify. 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.

If the employee is overseas, processing time in the Office of International Programs (OIP) is approximately 3-4 weeks. Georgetown University is not required to pay any fees to U.S. Citizenship & Immigration Services (USCIS). Once the Department of Labor has approved a Labor Condition Application, the individual may apply for an E-3 visa at the U.S. Consulate.

If the employee is in the United States, s/he must apply for a change or extension of status. Processing may take up to four months as OIP must file a petition with USCIS. A fee of \$320 must be submitted to USCIS along with the request for change or extension of status. E-3 petitions are currently *not* eligible for premium processing.

The attached form is an internal, Georgetown form designed to provide 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 Department portion. The entire form and all supporting documentation (see checklist on the next page) should be submitted to:

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

# E-3 Checklist for Submission to OIP

## Department:

- **Submit online request** as soon as the Department decides to sponsor an individual for E-3 status (<https://www4.georgetown.edu/uis/keybridge/keyform/form.cfm?FormID=2586>). **PRINT** the confirmation screen after submitting the form online and include a copy with the documents listed below. If the request is for a staff position, please also e-mail the official position description to OIP at this time.
- **Complete Department Portion of E-3 request form (4 pages):** Internal Notice of Filing of Labor Condition Application, Identification of Similar Employed Workers, Wage Determination System, and Declaration of the Department. For staff positions, please ignore the Wage Determination System page and include copies of the Position Description and memo from Human Resources classifying the position and stating the hiring salary range.
- **Submit** these pages to OIP along with:
  - A letter in support of E-3 petition (see sample on page 3 of this packet)
  - A copy of official job offer letter

## Employee:

Please do not staple or cut the copies of your documents to size. Please submit single-sided copies only.

- Employee portion of the E-3 request form (4 pages)
- Copy of acceptance of the job offered
- CV or resume
- Copy of diploma with English translations
- Copy of academic transcripts with English translations
- Copy of passport ID page
- If employee is in the United States:
  - \$320 check, payable to “Department of Homeland Security”
  - Copies of:
    - \* I-94 card (front & back)
    - \* Most recent visa stamp
    - \* Any previous I-797 notices
    - \* F-1 students: Employment Authorization Document, all I-20 Forms
    - \* J-1 Exchange Visitors: all DS-2019 Forms
    - \* Individuals in E-3 status elsewhere: copy of recent paystubs

## Dependents (If dependents seeking E-3 status are in the United States):

- Form I-539: <http://www.uscis.gov/files/form/i-539.pdf>
- Copies of passport, I-94 card (front & back) and any other evidence of immigration status such as I-797 approvals, EAD, I-20 Forms, or DS-2019 Forms
- Marriage and/or birth certificates
- \$300 check, payable to “Department of Homeland Security”
- I-765 Application for Employment Authorization, if applicable, and \$340 check, payable to “Department of Homeland Security”

## E-3 Extensions:

To request an E-3 extension, complete the [online request form](#) and submit it to OIP along with the Department Portion (4 pages) the Employee Portion (4 pages), a new letter of support from the supervisor, copies of an updated CV, I-94 card (front & back), any other updated immigration documents (passport, etc.), and a check for \$320, payable to “Department of Homeland Security.” If dependents will be included, the aforementioned items for dependents must also be submitted.

Components of the Letter	E-3 Sample Letter of Support
<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</p> <p>¶5: SET FORTH THE TERMS OF EMPLOYMENT, INCLUDING ANY CONTINGENCIES.</p>	<p>Date</p> <p><i>For employees currently in the U.S. applying for E-3 status:</i>  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><i>For employee applying from overseas:</i>  U.S. Consulate  Australia</p> <p><i>For employees currently in the U.S. applying for E-3 status:</i>  Dear Mr. Novak:</p> <p><i>For employee applying from overseas:</i>  Dear Consular Officer:</p> <p>This letter is being submitted in support of the E-3 application filed on behalf of Ms. Jane Doe, an Australian 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 Australian 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 August 1, 2009. In that capacity, Ms. Doe will teach and assist in research.</p> <p>It is our intention to employ Ms. Doe for a temporary period of two years at an annual salary of \$45,000. Thank you for your consideration.</p> <p>Sincerely,</p> <p><i>Joe Hoya</i></p> <p>Joe Hoya  Dean, College of Engineering</p>

# 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.

<u>NAME</u>	<u>START DATE</u>	<u>SALARY</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____

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.

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

<i>Lowest</i>	<i>Midpoint</i>	<i>Highest</i>
\$ _____	\$ _____	\$ _____

# 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 (USCIS). 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 USCIS paperwork required for this petition.

### Department Approvals:

Requestor/Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Dept./Personnel Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Department Chair: \_\_\_\_\_ Date: \_\_\_\_\_

If the application is to be sent FEDEX, Account #: \_\_\_\_\_ and Cost Center: \_\_\_\_\_

This packet should be submitted to:

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

# Employee Portion

Family Name: \_\_\_\_\_

First Name: \_\_\_\_\_ Middle Name(s): \_\_\_\_\_

All other names used: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Gender:  Female  Male  
(Month/Day/Year)

City/Province of Birth: \_\_\_\_\_ Country of Birth: \_\_\_\_\_

U.S. Social Security #: \_\_\_\_\_ A # (if applicable): \_\_\_\_\_

Passport Number: \_\_\_\_\_ Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

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

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).

Number of dependents included in the application: \_\_\_\_\_

*E-3 dependents applicants must complete the I-539 Form (<http://www.uscis.gov/files/form/i-539.pdf>) if in the United States. This form records information about your dependents, not the employee (except Part 3, #4). If your spouse is listed on the form, s/he should sign it. You may, however, sign for any underage children.*

### 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)

### Current Status in the United States

Current non-immigrant status: \_\_\_\_\_ Status upon last entry into the U.S.: \_\_\_\_\_

Date of last entry into the U.S.: \_\_\_\_\_ I-94 card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_

## Employment History During the Last 7 Years

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

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

\_\_\_\_\_  
Signature of E-3 Applicant

\_\_\_\_\_  
Date

# Mandatory Statement for Applicants Currently in the United States

Name of E-3 Applicant: \_\_\_\_\_

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.

If you are applying for an E-3 visa outside the United States, please disregard this page.

- 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 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 currently employed/conducting research at Georgetown and am applying for a change of 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 certify that the above indicated statement best describes my situation and the information provided in this request form is accurate. 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: \_\_\_\_\_