



Checklist:

- Support letter
- RAMP Approval
- Determination of Actual Wage Form and Chart
- Updated CV
- Copy of current I-94 and passport information page
- \$460 check made out to U.S. Department of Homeland Security
- I-539 and I-539A for dependents if they are in H-4 status and if amended petition will result in an extension of the current stay as well as an amendment to the current petition. \$370 fee for I-539 and I-539A (if applicable) (does not include employee), made out to U.S. Department of Homeland Security. Three most recent paystubs Diploma and transcripts

To be completed by supervisor, or department administrator authorized to offer the position:

Name and Title

Phone: Fax:

E-mail: FSU Mail Code:

The undersigned confirms that s/he is authorized to offer this position, that s/he will take responsibility for the supervision of the foreign national, and that information contained in this request is correct according to the best information available. The department must notify the Center for Global Engagement of any early terminations or any changes in the terms or conditions of employment. The undersigned understands that the employer is liable for the reasonable costs of return transportation of the foreign national abroad if the foreign national is dismissed from employment by the employer before the end of the authorized period of stay granted by USCIS on the basis of Florida State University's H-1B petition.

I also confirm that I, or a departmental representative, will contact the Center for Global Engagement BEFORE making any changes in the terms and conditions of the employment. I understand that changes may require FSU to file a new Labor Condition Application (LCA) and amended petition. (Examples of changes that require a new LCA and amended petition are: changing an appointment from full time to part time or from part time to full time, or adding teaching duties to a position that did not originally involve teaching.)

Signature: _____

Date:

Department Representative:



Part I: To be completed by the host department.

This form is to be used when there are changes in the terms and conditions of employment for an H-1B worker who is currently employed by FSU. An amended petition is probably necessary if an employee is moving from one department to another within FSU, resulting in significant changes in job duties, salary, title, etc. An amended petition is also necessary if an employee will continue to be employed by the same department, but there are significant changes in the job duties, salary, title, etc., such as the addition of supervisory duties or teaching duties. A salary increase or change in job title that is given without changes in job duties or responsibilities does *not* require an amended petition.

Department/School/Center:

Name of Foreign National:

We are submitting a request for an amended petition due to the following changes in employment:

Moving from _____ (department) to _____ (department)

New job duties. Describe (please remember to note if new job duties include supervision or not):

Street address of employment: City: State: Zip Code:

Salaried: Yes No If no, enter wage: Per Hours per week

Change in salary from \$ to \$ In-unit: No Yes

Other:

Dates requested for amended petition: to:

Processing

Regular (\$460 application fee)

Premium - 15 days (\$460 application fee plus additional separate check for \$2500)

Information for UPS billing through Postal Services (Please see the checklist for information about the checks and address.)

Dept# Fund# Purchase Order #

Contact Information:
(worker)

Mailing Address:

Residential (street) address: City: State: Zip Code:

Phone: Fax: E-mail:

United States Visa History:

Is worker currently in the United States? Yes No If yes, what is their current visa status?

I-94 Number: What is the expiration date of their current visa status?

Attach copies of the I-94 card (front and back) and visa

If they have any plans to travel outside the U.S., please provide the details:

Passport Number: Issue Date: Expiration Date:

U.S. Social Security Number (if any): Date of last arrival to U.S.:

SAMPLE LETTER OF SUPPORT FOR H-1B EXTENSION

U.S. Citizenship & Immigration Services
California Service Center
ATTN: CAP Exempt H-1B
24000 Avila Road, Second Floor, Room 2312
Laguna Niguel, CA 92677

RE: H-1B Visa Amendment on behalf of Dr. John Doe

Dear Sir/Madam:

I am writing in support of the H-1B amendment filed by Florida State University on behalf of Dr. John Doe, who is currently employed as a *(title)* in the Department of Biochemistry.

The Department of Biochemistry intends to employ Dr. John Doe for the period of *(date)* to *(date)*. This period of employment fits within the six-year limitation on total H-1B employment. Dr. Doe will continue to conduct research and teach graduate and undergraduate courses in Biochemistry **(please add changes in duties)**. He will receive a salary of \$ *(dollar amount)* for the academic year (or other period).

Thank you for your courtesy and attention to this matter.

Sincerely,

Jane Doe
Title

RAMP (Replacing the Deemed Export Questionnaire)

The Deemed Export Questionnaire has been replaced by RAMP. Diana Key, Director of Research Compliance, no longer accept paper forms. **Please take a screenshot of the RAMP approval and submit this as proof with your complete H-1B request packet. RAMP is required for all international employees.** The system, RAMP Export Controls, marks the 5th module within the Research Administration Management Portal and it provides an automated process and enhanced communication tools for the submission, review and management of export control requests. The Export Control module offers the same transparency as the other RAMP modules since users are able to check the status of requests in real-time. It also provides a flexible review process as ancillary reviewers can be added to the workflow to evaluate and comment on particular export control requests, as needed.

RAMP Export Control can be accessed by signing into the [myFSU portal](#), clicking the “RAMP” icon, and then clicking the Export Control tab within the top navigation menu. Users can also access the system through links contained within Outlook email notifications as certain system activities are performed.

Export Control requests, as listed below, are required to originate through RAMP at this time.

- Biologics Access Controls
- DD Form 2345 – Militarily Critical Technical Data Agreement
- Shipment (International only)
- Sponsored Research, Collaborations, and Other Agreements
- **Visa**
- Visitor

The Visa Request Type is what you need to submit.

Training on how to utilize the new system for each export control request type can be found on the Export Control [training page](#) on the [RAMP project website](#). There are many resources available, such as How-To Guides by request type, a *PI Reference Guide*, and a document outlining *When RAMP Export Control is Required*. Users can also learn how the ancillary review process works by reviewing the *Ancillary Review Guide* and which system actions trigger email notifications through reviewing the *System Workflow and Notifications Guide*. The same training resources are also conveniently accessible within the **Help Center** in RAMP Export Control.

The RAMP Export Control support email serves as the best communication tool to reach the Export Control training team at ramp-exportcontrol@fsu.edu for any questions, concerns or feedback. We are dedicated to helping you successfully navigate RAMP Export Control!

DETERMINATION OF ACTUAL WAGE

The U.S. Department of Labor requires employers who are hiring H-1B employees to confirm that they will pay non-immigrants at least the local prevailing wage or the employer's actual wage, *whichever is higher*. The actual wage is the wage rate paid by the employer to all other individuals with experience and qualifications similar to those of the H-1B nonimmigrant for the specific employment in question.

The employer is required to **establish** and **document** the actual wage rate. Information must be available for public examination and for Department of Labor inspection. The inspection files are kept at the Center for Global Engagement.

To comply with the actual wage requirement, please complete the section below and attach the Determination of Actual Wage Worksheet or other supporting documentation.

PLEASE CHECK ONE:

- There are no employees in the department with the job title and/or basic job duties of *(name of foreign national)* . This position is unique because

The actual wage rate is the salary offered to the H-1B employee.

Signature: _____	<i>(Department Chair or Director)</i>
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- There are *(number)* other employees in the *(name of department)* with the job title and duties of *(job title)* . The wage range for those employees is \$ to \$. Within this range an individual salary is determined by taking various factors into consideration. The factors used to determine the salary for individuals in the position of are:

I am attaching documentation to show how the department identified similarly-employed workers with similar education and experience and how this wage rate was determined. (This information is required by the Department of Labor.) It should consist of a list of employees in the **same job classification and their salaries, plus an explanation of how the salaries were set. The salary of the H-1B worker cannot be lower than all of the other employees in the same classification because regulations require the employer to pay the prevailing wage OR the actual wage, whichever is higher.**

Signature: _____	<i>(Department Chair or Director)</i>
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NOTE: Some factors that the department can consider when determining an employee's salary are:

- | | |
|----------------------------------|---|
| - experience | - specialized knowledge/skills |
| - qualifications | - publications |
| - education | - other objective business-related criteria |
| - job responsibility/supervision | |

According to NAFSA: Association of International Educators: "The Department of Labor has made it quite clear that for actual wage purposes it is unacceptable to set a wage based solely on the salary level set by a grant. The *can't afford* it argument holds little water in the face of a Department of Labor audit." In addition, if a similarly employed individual has a higher than average salary because of a certain grant, the salary of that individual cannot be left out of the wage range if the duties, education, and experience of the employee are similar to that of the H-1B employee (note from the H-1B Handbook, 2000 Edition by Austin T. Fragomen, Jr. and Steven C. Bell).

