

IDAHO STATE UNIVERSITY
Office of Equity and Inclusion

Employer Statement Regarding Filing of a Labor Condition Application

Re: H-1 B Petition for: _____

Job Title: _____

Department: _____

The U.S. Department of Labor has specific requirements that an organization must meet under the terms of a petition for H-1B nonimmigrant status for an employee. You have requested for the Office of Equity and Inclusion (OIE) to file a Labor Condition Application (LCA) on your behalf. The signature of the LCA by a representative of OEI denotes your foregoing request and that the information the hiring department provides to OEI is true and correct and that the department will comply with the regulations governing the employment of foreign nationals.

The responsibility for compliance with specific terms of the LCA resides with the employing department. It is for this reason that the department's hiring official is required to understand his or her obligations as listed below and sign on the line provided as a declaration of compliance with the regulations with regard to the international employee named above.

DECLARATION OF EMPLOYER

- The department will pay the foreign national at least the salary paid to other ISU employees with similar experience and qualifications in the same occupation or the prevailing wage for the occupation as determined by the appropriate survey, whichever is higher.
- The employment of an H-1 B nonimmigrant will not adversely affect the working conditions of employees similarly employed in the area of intended employment.
- The department has allocated funds for the payment of the foreign national's salary for the duration of his/her employment under the terms of the petition.
- The department will request from the Office of Equity and Inclusion to file an amended petition should the terms of employment change during the appointment period of the beneficiary's H- 1 B.

Any misrepresentation of facts or employer's failure to comply with the H-1 B regulations may result in the following:

- Assessments of back pay for the foreign national and/or other employees in the occupational classification.
- Maximum fine for each violation.
- Imposition of other appropriate administrative remedies.
- Suspensions of ISU's labor condition applications and a prohibition of filing and approval of labor condition application or applications for permanent residents for one year.
- Prohibition of filing immigrant or non-immigrant visa petitions with the U.S Citizenship & Immigration Service for at least one year. 6) Federal criminal penalties for knowing and willful submission of false statements to the Federal Government of \$10,000 and/or imprisonment of up to 5 years.

Head of the Department

Job Title

Name of the Department

Signature