



## INTERNATIONAL STUDENT & SCHOLAR SERVICES

The University of Alabama at Birmingham

### **H-1B NEW HIRE PACKET – CLINICAL**

**H-1B Physician Name:** \_\_\_\_\_

Please complete this packet to begin the process of hiring a physician (whether GME or clinical faculty) who requires H-1B employment authorization. Email the complete packet and additional required documents to [iss@uab.edu](mailto:iss@uab.edu).

#### **ISSS needs the following information contained in this packet completed and returned ASAP:**

- LCA Form
- Export Control Screening Form
- Check Request Memo (for ISSS to request UAB--not HSF--checks in Oracle)
- Signed Expectations form

#### **Additional required documents:**

- UAB LOI, HSF Physician Employment Agreement (**both**, if dually-appointed), or residency/fellowship contract
- Letter/email from the ABME confirming application for a medical license, if physician has not yet obtained an Alabama medical license

A **general**, absolute best-case timeline for the entire H-1B process, **depending on how quickly and accurately the necessary information is provided by both the department and the physician**, is:

- 7 business days for the LCA portion of the process (*i.e.*, while the Department of Labor certifies the wage, which is an electronic process that cannot be expedited)
- 10 business days to finalize the H-1B forms and obtain necessary signatures
- 15 days for USCIS to adjudicate (meaning approve, deny, or send a Request for Evidence) the H-1B petition when premium processing is available
- 7-10 business days to receive the hard copy Approval Notice from the USCIS California Service Center, which the physician must have in hand to complete the I-9 and begin working if a new hire or change of status
- NOTE: If the physician is currently in H-1B status in the US with another employer and is "porting" that H-1B status to UAB/HSF, the physician can begin working with UAB/HSF as soon as USCIS *receives* the petition (no need to wait for hard copy approval notice)
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*Again, the above timeline is valid only to the extent ISSS receives all information in a timely and complete manner.* Depending on volume, it can easily take six weeks to two months to prepare the entire filing. ISSS will collect any documents needed from the physician separately via email. Expect additional delays if the physician is still waiting on Department of State J-1 waiver recommendation or has not yet received an Alabama medical license.

You and the physician will receive an automated email from the ISSS system on the afternoon/evening the H-1B petition is filed and another automated email with I-9 instructions when the approval notice arrives in the mail. ISSS does not always have capacity to respond to "update" requests in the interim.



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## INFORMATION REQUIRED TO FILE A LABOR CONDITION APPLICATION ("LCA") WITH THE DEPARTMENT OF LABOR PRIOR TO FILING AN H-1B PETITION (CLINICAL)

Do not forward to the physician for completion. The physician's supervisor and/or a department administrator with actual knowledge of the job duties must complete this form. Thank you!

### BASICS

Job title in Oracle: \_\_\_\_\_ Total salary: \$ \_\_\_\_\_

UAB salary \$ \_\_\_\_\_ HSF salary \$ \_\_\_\_\_

Valley Foundation salary \$ \_\_\_\_\_

Supervisor \_\_\_\_\_ Sponsoring Department/Division \_\_\_\_\_

Desired dates of employment: \_\_\_\_\_ to \_\_\_\_\_ (3 years maximum per petition)  
MM/DD/YYYY MM/DD/YYYY

*Please note:* If the sponsored physician has a restricted or special medical license, USCIS reserves the right to approve the H-1B petition for only one year. If the sponsored physician has an unrestricted medical license, USCIS can approve for up to three years.

### PHYSICAL LOCATION(S) AND SCHEDULE

**Please provide every address where the physician can be found working on a daily basis.** Do NOT list the departmental administrative office address. Do include the physician's office address if they will have office space in addition to their clinical/research locations. Provide all address(es) where, if a Department of Labor or US Citizenship and Immigration Services Fraud Detection and National Security Unit (USCIS FDNS) representative arrived unannounced on campus, he/she could possibly find the physician working. Please indicate **ALL** locations where the physician will work. ISSS must know all such addresses to protect both the institution and the physician in the event of a **site visit from a federal agency.** Employers nationwide routinely receive such visits.

☐ Birmingham VA\*

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

☐ Callahan Eye Hospital

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

☐ Children's of Alabama\*

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

☐ Children's South\*

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

☐ Cooper Green\*

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

☐ Fair Haven Retirement\*

Room/Floor/Clinic \_\_\_\_\_ Schedule (at least days of the week working here and whether AM or PM) \_\_\_\_\_

<input type="checkbox"/> FOT	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Hospice Family Care (HSV)	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Huntsville Family Medicine	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Huntsville Hospital*	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Jefferson Tower	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Kirklin Clinic	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Russell Medical Center*	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Dialysis/DaVita	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Gardendale	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Health Center Montgomery	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Highlands	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Medical West	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Medicine Leeds	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Montgomery Regional MC	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Mountain Brook Plastic Surgery	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Multispecialty-Baptist	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> UAB Selma Family Medicine	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> University Hospital	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Vaughan RMC (Selma)*	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> St.Vincent's	Room/Floor/Clinic	Schedule (at least days of the week working here and whether AM or PM)
<input type="checkbox"/> Other (list below)		

Street number	Street	Room/lab/hospital/clinic	Schedule
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Street number	Street	Room/lab/hospital/clinic	Schedule
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If more space is needed, please include the additional address(es) in the body of your email when you return this pdf.

**In addition to the above locations,** if the physician will **moonlight**, please provide all anticipated locations:

Street number	Street	Room/lab/hospital/clinic	Schedule
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Street number	Street	Room/lab/hospital/clinic	Schedule
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What is the anticipated annual income to be earned from moonlighting? \$ \_\_\_\_\_

**PLEASE NOTE:** If the physician will rotate, work, or take call at any facility not directly owned by or affiliated with UAB/HSF, you **must** provide a copy of the Education Agreement (for GME rotations) or Affiliation Agreement documenting the relationship between UAB/HSF and the third-party site. This list includes *but is not limited to* the VA, Children's, Cooper Green, Fair Haven, Huntsville Hospital, Baptist Hospital, St. Vincent's and Vaughan. Failure to provide this document will cause severe processing delays, as USCIS requires it to be included.

## JOB QUALIFICATIONS AND DUTIES

Minimum education required: DO ☐ MD ☐ International equivalent, such as MBBS ☐

Minimum residency required (*number of years and specific field*): \_\_\_\_\_

Minimum fellowship training required (*number of years and specific field*): \_\_\_\_\_

Minimum years of post-training employment and/or teaching experience required: \_\_\_\_\_

Does the physician need to be BC/BE? Yes ☐ What field? \_\_\_\_\_ No

Will the physician work on or support any particular research projects which we could read about on the UAB website? If so, list the names of the project(s) here: \_\_\_\_\_

How many employees will the physician supervise (*i.e.*, over how many employees will they have authority to hire, discipline, and fire)? \_\_\_\_\_

## REQUIRED SIGNATURES AND CONTACT INFORMATION

Division Director Signature \_\_\_\_\_ Date \_\_\_\_\_

Department Chair Signature \_\_\_\_\_ Date \_\_\_\_\_

Department administration contact for questions pertaining to this H-1B petition and to be copied on automatic email reminders (type or print legibly): Name \_\_\_\_\_ Email Address \_\_\_\_\_

Departmental UPS or FedEx account (not GL string or corporate card number) for shipping H-1B petition to USCIS: UPS Account \_\_\_\_\_ or FedEx account \_\_\_\_\_

Please note: signing above gives ISSS permission to the use the courier (UPS or FedEx) shipping account not only to ship the petition, but also when necessary for any subsequent correspondence with USCIS about this matter, including responding to a Request for Evidence and withdrawing the petition in the event of resignation or termination.

If the physician will be dually-appointed with HSF, please provide the 6-digit HSF Accounting Unit for departmental billing (HSF pays a service fee to ISSS for H-1B petition preparation): \_\_\_\_\_



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### **INFORMATION NEEDED FOR H-1B EXPORT CONTROL SCREENING**

Under federal Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR), US employers must seek and receive a license before releasing controlled technology or technical data to non-immigrant workers employed in H-1B status. Even if such information is released to the H-1B employee within the US, the regulations consider the release a “deemed export” as if the information had actually been sent to the H-1B employee’s home country.

In essence, the [EAR](#) pertains to the production, development, or use of “dual use” items found on the [Commerce Control List](#), while the [ITAR](#) pertains to technical data directly related to defense articles found on the [US Munitions List](#).

As part of the USCIS forms to file an H-1B petition, UAB is required to attest and certify that it has reviewed the EAR and ITAR and determined whether or not controlled technology or technical data will be a deemed export in this situation and has applied for a license, if necessary.

For additional background and help determining whether export control regulations will apply to your international hire, please refer to the University Compliance Office’s [Export Control Decision Tree](#).

**Job Title/Position Offered** \_\_\_\_\_

**Employee family name** \_\_\_\_\_ **Employee given name(s)** \_\_\_\_\_

1. To what research technology and academic facilities, including computer servers and laboratories, will the employee have access? [Include information about access to potentially controlled and sensitive equipment, software, personnel, etc.]

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2. Will the employee be involved with any projects that (select all that apply):

Are proprietary or involve proprietary information? Yes ☐ No ☐

Require the employee to obtain a certain security clearance? Yes ☐ No ☐

Involve research overseen by the Office of Sponsored Programs? Yes ☐ No ☐

If yes, have any of the projects been issued a Technology Control Plan (TCP)? Yes ☐ No ☐

**If yes, please attach a copy of the TCP to this form.**

Have publication or access and dissemination restrictions imposed by the sponsor, including but not limited to confidential disclosure, proprietary information agreements, and/or material transfer agreements? Yes ☐ No ☐

Are departmentally-funded? Yes ☐ No ☐

Require foreign national approval by the sponsor? Yes ☐ No ☐

If you answered "yes" to any of the above, please explain. List and describe all projects. [Use additional space as needed.] \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**With respect to technology or technical data UAB will release or otherwise provide to the international employee, I certify that I have reviewed the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR) and, to the best of my knowledge, have determined that at the time of filing the H-1B petition, a license is not required from either the US Department of Commerce or the US Department of State to release such technology or technical data to the international employee.**

Supervisor/PI Name: \_\_\_\_\_ Supervisor/PI Signature: \_\_\_\_\_

Supervisor/PI Title: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
*FOR OFFICE OF INTERNATIONAL COMPLIANCE AND EXPORT CONTROL USE ONLY*

\_\_\_\_\_  
Director of International Compliance and Export Control

Date: \_\_\_\_\_



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### INSTRUCTIONS AND JUSTIFICATION FOR H-1B IMMIGRATION CHECK REQUEST

Three different fees can be required to file a *new* H-1B petition on behalf of UAB/HSF employees.

A \$460 processing fee is required every time UAB/HSF files a petition for H-1B employment—whether for initial employment, change of employer, or extension of status. The department/division **must** pay this fee.

An additional \$500 fraud prevention and detection fee is required when UAB/HSF files either: a) an *initial* petition to hire an H-1B non-immigrant worker, or b) a petition allowing an H-1B non-immigrant worker to *change* employers and join UAB/HSF. The department/division **must** pay this fee.

All H-1B petitions sponsored by units in the UAB School of Medicine must pay the additional \$2,500 Premium Processing fee. USCIS will make a determination (approval, denial, or Request for Evidence) on the petition within 15 days. SOM Executive Administrators have been informed that this fee must be paid by the sponsoring department/division.

**Department administrators:** Please provide the Oracle account string you wish ISSS to use to request a USCIS filing fee check drawn on a UAB account: \_\_\_\_\_

*IF YOU WISH TO CREATE THE PAYMENT REQUEST IN ORACLE ON YOUR OWN, you must enter the correct Payment Type (Vendor Services), Vendor Number (422584), and Object Code (8609990) correctly in order to prepopulate the field with the correct Call Extension number. If you do not enter this precise combination, ISSS will not be able to receive a paper check. USCIS requires paper checks to be attached to each H-1B petition.*

*Please enter the above combination of information correctly so that the UAB Post Office can easily identify USCIS checks and remove them from the mail pile. ISSS picks up USCIS checks in-person every Thursday from the 801 Building and staples them to the H1B petition being filed for each individual employee. **THANKS!***

This is a new hire. We need a check for **\$960**.

This physician has been working for UAB/HSF in another immigration status and needs to change that status to H-1B, so in effect is a “new hire” for USCIS purposes. We need a check for \$960.

We need an additional premium processing check for **\$2,500**. **[MUST include if in SOM]**

If you have any questions, please contact International Student & Scholar Services at [iss@uab.edu](mailto:iss@uab.edu).

*If the physician will be dually-funded by both UAB and HSF or the Valley Foundation, ISSS must file two separate H-1B petitions and therefore will need two separate sets of H-1B filing fee checks. ISSS can request the UAB check based on the information provided above, but department administrators are responsible for requesting any second \$960 check that needs to be drawn on an HSF or Valley account.*

H-1B Beneficiary (employee) name: \_\_\_\_\_



## INTERNATIONAL STUDENT & SCHOLAR SERVICES

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### **EXPECTATIONS AND ISSS SERVICES: WORK AUTHORIZATION AND PERMANENT RESIDENCE (DEPARTMENTS)**

UAB's Office of International Student and Scholar Services (ISSS) is responsible for helping UAB, HSF, Valley Foundation, and Southern Research secure United States Citizenship & Immigration Services (USCIS) work authorization for international employees. Institutional immigration compliance is an active, three-way partnership requiring the engagement of ISSS, department administrators, and international employees themselves. Departments and international employees are expected to take an active role in the immigration process and follow checklists, packet information, and other instructions designed to maximize efficiency during the process. ISSS can assist only in certain areas and is not a Human Resources unit. Please review the below in anticipation of beginning a work authorization process for an international hire (*i.e.*, someone who is *not* a US citizen or permanent resident).

#### **ISSS Responsibilities**

- Collect from departments and international employees all information necessary to draft and file the following specific types of non-immigrant work authorization petitions with USCIS: H-1B, O-1, E-3, and TN
- Provide automated reminders and notifications when petitions have been approved, including instructions that the department and the international employee must follow for next steps to complete the onboarding and I-9 processes
- Send automated reminders and notifications when employees' work authorization can be renewed
- Provide annual trainings and Lunch 'n' Learns for administrators on immigration-related topics
- Collaborate with outside counsel during the transition from J-1 to H-1B status required for incoming clinical faculty who are currently completing their final year of medical training
- Provide templates and schedule for PERM recruitment among the department, Recruitment Services, and Faculty Affairs as needed depending on the position
- Distribute the weekly *Globetrotter* e-newsletter
- Publish extensive information about common processes and procedures on [our website](#)
- Determine the timing and category of potential permanent residence sponsorship in consultation with department administration

#### **Department Responsibilities**

- Provide complete, accurate, and timely information on ISSS new hire and extension packets for international hires, including accurate work locations and schedules, accurate job descriptions/duties, and accurate representation of the minimum degree level, training, and work experience required to be hired into the position
- Post and return H-1B posting notices (LCA notices) to ISSS after 10 business days

- Timely request USCIS fee checks that need to be drawn on an HSF, Valley, or Southern Research account (i.e., a non-UAB state funds account)
- Ensure that PERM recruitment ads are placed in appropriate media in conjunction with Recruitment Services and the Faculty Affairs office
- Facilitate signature processes and letterhead printing of immigration-related letters of support
- Update Oracle when an international employee changes immigration status or receives an extension of stay so that the Guardian system sends appropriate I-9 reminders
- Read the weekly *Globetrotter* e-newsletter for important updates related to federal immigration policy and ISSS procedures
- Review and refer to [ISSS website](#) for FAQs and common processes available 24/7
- Forward any permanent residence-related requests from outside attorneys to ISSS for review before signing or returning any letters or USCIS forms
- Notifying ISSS of a salary change greater than 10%, a change in physical work location, or significant change in title or job duties for any H-1B employee

### **Additional Resources for Questions Outside the Scope of ISSS**

ISSS does not operate as a “one-stop shop” for everything that might involve an international employee. Our mandate extends to advising departments only about the steps and documentation necessary to file a successful petition for work authorization with USCIS. Departments and international employees are expected to take an active role in the immigration process and follow checklists, packet information, and other instructions designed to maximize efficiency during the process. ISSS staff are not personal attorneys and cannot assist with matters other than those directly related to processes connected with work authorization for UAB, HSF, Valley, and Southern Research. Please direct additional inquiries to the following:

- Employee recruitment/onboarding: departmental HR
- Employee discipline/termination: departmental HR
- Documents provided by an international employee who has a “work card” (EAD) and does not need USCIS work authorization sponsorship in the H-1B, O-1, E-3, or TN category: <https://www.uab.edu/global/employees-scholars/information-for-departments/hiring-international-employees-with-work-authorization-independent-of-uab-hsf>
- Volunteer/unpaid appointments: <https://www.uab.edu/global/employees-scholars/information-for-departments/volunteer-appointments>
- Permanent residence processes that do NOT require employer sponsorship: <https://www.uab.edu/global/employees-scholars/international-faculty-staff/permanent-residence> (see the last section re: “Permanent Residence Paths Requiring Outside Attorney”)

All new international employees in the H-1B, O-1, E-3, and TN categories, or who are seeking employer-sponsored permanent residence, will receive a similar document outlining their personal responsibilities with regard to the work authorization and permanent residence processes.