



**H-1B Agreement Form for Department Chair/Hiring Authority**

In order to sponsor an employee for the H-1B nonimmigrant worker status, HR and the hiring department agree to the following guidelines and governmental regulations:

1. The hiring department and HR will read all materials required for sponsoring an H-1B employee and all future documents and correspondence related to this petition.
2. HR and the hiring department will post the Labor Condition Application (LCA) for 10 business days in two conspicuous locations at the intended place of employment.
3. HR and the hiring department agree to the terms of the LCA for the duration of the employee's authorized period of stay for H-1B employment and will pay the H-1B employee the amount listed on the certified LCA form, which must be 100% of the prevailing wage for the position of the actual wage, whichever is higher, throughout the authorized period of H-1B employment.
4. The hiring department and HR will continue to pay the required wage, per item 3, even during nonproductive time that is due to a decision by the Department (e.g. lack of assigned work, training periods, etc.) within the authorized period of H-1B employment.
5. The hiring department and HR will inform the International Center of any elective employee Leaves of Absences prior to each leave to ensure compliance with immigration regulations.
6. The hiring department and HR agree to offer the employee benefits and eligibility for benefits on the same basis as U.S. workers.
7. The hiring department and HR agree to provide working conditions for the employee that will not adversely affect the working conditions of workers similarly employed, and which are afforded to similarly employed U.S. workers.
8. The hiring department will accept liability for the reasonable costs of return transportation of the employee abroad if the employee is dismissed from employment by the department (for any reason) before the end of the period of authorized H-1B stay (this normally constitutes the cost of a plane ticket.)
9. The hiring department will, in conjunction with the employee, notify the International Center if the employee decides to resign or is terminated from working at Winthrop University.
10. The hiring department will initiate paperwork for an extension of the H-1B employee's authorized period of employment six months before the current authorized period of H-1B employment ends.
11. The hiring department will contact the International Center to begin a new H-1B for the employee when there is a substantive change in the terms of the person's employment, including but not limited to: change in location of employment, salary reduction; change in position title or responsibilities.

I agree to sponsor (*insert Name of Employee*) \_\_\_\_\_ for H-1B nonimmigrant worker status for the period of time indicated on USCIS Form I-797 Notice of Action (i.e., "H-1B approval notice") and to honor the statements listed above.

**Name of Department Chair/Authorized Hiring Authority:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

*Failure to comply with the H-1B regulations set forth by USCIS and the U.S. Department of Labor may result in civil or criminal prosecution, fine or imprisonment or both.*

Once the letter is complete, please submit the original to the International Center, c/o Lindsey Hill, 218 Dinkins Hall.