

NOTIFICATION OF POLICY

Effective February 1, 2009, UCLA policy will require that unrestricted university funds be used for payment of most expenses associated with filing an H-1B petition on behalf of an individual who holds a Postdoctoral Scholar appointment, or who has been offered such an appointment. Payment by the individual of certain expenses, including those associated with obtaining temporary status for dependents of the H-1B holder, and with premium processing of an H-1B petition for reasons which are not business-related, will still be allowed. However, unrestricted university funds must be used for the basic filing fees, the service fee, and the attorney fee.

For positions covered by a collective bargaining agreement, Department of Labor regulations state that the wage offer itself is the prevailing wage that is required to be paid. If the employee pays any expense associated with the employer's preparation and filing of the H-1B petition, the payment effectively reduces the H-1B employee's wages below the prevailing wage.

In anticipation of a collective bargaining agreement for Postdoctoral Scholars, this policy will be implemented for the following UCLA H-1B cases:

- Cases for which the completed start package is received by the Dashew Center on or after February 1, 2009
- Cases for which the requested UCLA start date is on or after April 1, 2009

For a more detailed explanation, including the regulatory authority, please contact the Dashew Center employment-based unit at 51650, or email Sylvia Ottemoeller at sottemoe@saonet.ucla.edu.

Sincerely,

Claudia Mitchell-Kernan
Vice Chancellor Graduate Studies
Dean, Graduate Division

Lynne E. Thompson
Director
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