



H-1B Change in Employment Material Change Determination for Changes within Same Department

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Purpose: The purpose of this form is to collect preliminary information about proposed changes in employment for international employees in H-1B immigration status to determine if a new H-1B petition is required. Since H-1B employment authorization is employer, location, title, salary, hours and duty-specific, any change in employment deemed to be material requires submission of a new H-1B petition to the U.S. Department of Homeland Security (DHS) to amend the employee's authorization for employment.

Please submit this form to the ISSO no later than **60 days prior** to the proposed change in employment. If the ISSO determines that a petition to amend the H-1B authorization is required, the petition must be submitted to DHS **before** the employee can commence the proposed new duties, salary, supervision, etc. In this case, the hiring department will be asked to complete a new H-1B request packet, including a new appointment letter.

This form is only intended for use when the change in employment will occur within the same department. If the employee will commence employment with a new (or concurrent) department, a complete H-1B request packet, including a new appointment letter, is required from the new (or secondary) department in lieu of this form.

Name of H-1B Employee: _____

Employee's Current Department of Employment: _____

Employee's BU ID #: _____

Effective Date of Proposed Changes: _____

1. Will this employee's **salary** change? Yes No If "yes," the new salary is: \$ _____
2. Will the employee's **title** change? Yes No If "yes," the new title is: _____
3. Will the employee's **job duties** change? Yes No
4. Will the employee's **supervisory responsibilities** change? Yes No
5. Will the employee's **principal work location** change or will a **new location** be added? Yes No
6. Will the employee's **work hours** change (*i.e. full-time to part-time or expected number of hours*)? Yes No

If you answered "yes" to any of the above, please explain the reason for each change:

Describe any new duties in detail. Explain how many people the employee supervises now and how many she/he will supervise when the change takes place. Please list any new location of employment. Please describe any change in work hours. Please attach a separate page if needed.

7. Will the employee's **Host/Supervisor** or **Department Contact** change? Yes No

New Host/Supervisor: <input type="checkbox"/> Not Applicable	Name:	<input type="checkbox"/> Dr. <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.		
	Title:			
	Phone:	()	Fax:	()
	Email:			

New Department Contact: <input type="checkbox"/> Not Applicable	Name:	<input type="checkbox"/> Dr. <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.		
	Title:			
	Phone:	()	Fax:	()
	Email:			

By my signature below, I certify that, to the best of my knowledge, the above-indicated description accurately reflects the nature of this international scholar's employment at Boston University.

On behalf of the hiring department at Boston University, I attest to the following:

1. Employment of this individual will not adversely affect the working conditions of workers similarly employed. Further, this employee will be afforded working conditions on the same basis, and in accordance with the same criteria, as offered to similarly employed U.S. workers.
2. The department will pay at least the higher of either the actual wage to be paid by the department to all other individuals with similar experience and qualifications for the specific employment in question or, the prevailing wage as determined by the Department of Labor for those in similar occupations in the Boston area.
3. If the employee is terminated by Boston University prior to the expiration date of the approved petition, the department will pay the reasonable travel expenses necessary for the employee to return to her/his home country.
4. There is no strike or work stoppage in the department at the time of signing this form.
5. The scholar will not be placed on unpaid leave or any type of non-pay status at any time without ISSO approval.

I understand that we may not enact the proposed changes until the ISSO determines whether a new H-1B petition is required.

If a new H-1B petition is required to reflect the proposed changes, the petition must be submitted to DHS before the date on which such change becomes effective. Qualifying job changes include: promotion or other change in job title or rank, substantial changes in job duties/responsibilities, any decrease in salary/benefits, a substantial increase in salary/benefits, change in location or hours of work.

Signature of Supervisor / Director / Chair completing this form Date

Name of Supervisor / Director / Chair completing this form Title

FOR ISSO USE ONLY

After review of the above information, it is determined that:

- The change **does not** constitute a material change as defined by immigration regulations*. The information will be placed in the Public Access File, but an amended H-1B petition is not required.
- The change **does** constitute a material change as defined by immigration regulations*. **An amended petition is required.** The petition must be submitted to the DHS before the changes may take effect (e.g., commence new duties, receive new salary, begin working under a new title). * 8 CFR § 214.2(h)(2)(i)(E) and INS field memorandum CO 214h-C, October 22, 1992. Updated 1996.

Signature: _____

Date: _____

Name: _____

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