BOSTON UNIVERSITY

Form A

Request for Immigration Processing
Host Department & Appointment Information

International Students & Scholars Office ♦ 888 Commonwealth Avenue, Second Floor ♦ Boston, Massachusetts ♦ 02215
♦ Telephone: 617/353-3565 ♦ issosch@bu.edu ♦ www.bu.edu/isso ♦

A. BU Host Department Information

School / College (if applicable):	Campus:
Department or Administrative Office:	
Department / Office Address: (include city, state, zip)	
BU Host / Supervisor Name:	Department / Administrative Contact Name:
BU Host / Supervisor Title:	Department / Administrative Contact Title:
BU Host / Supervisor Phone:	Department / Administrative Contact Phone:
BU Host / Supervisor E-mail:	Department / Administrative Contact E-mail:

B. Requested Visa Classification (please select one)

☐ **J-1** ☐ Research Scholar ☐ Professor ☐ Short-Term Scholar ☐ Specialist ☐ Student Intern | ☐ **H-1B** | ☐ **TN** | ☐ **O-1** | ☐ **F-1 STEM OPT** | ☐ NEW request ☐ EXTENSION of requested status

C. Scholar/Employee Personal Information

Name Prefix: ☐ Dr. ☐ Mr. ☐ Ms. ☐ Other:

Last Name / Family Name / Surname:	First Name / Given Name:	Middle Name(s), if any:
Date of Birth (mm/dd/yyyy):	Gender: ☐ Female ☐ Male	BU ID#:
Is the scholar/employee currently in the U.S.? ☐ No ☐ Yes. In what immigration (visa) status? ☐ J-1 ☐ H-1B ☐ F-1 ☐ Other:		Does the scholar/employee have a medical degree? ☐ Yes ☐ No

D. Academic Appointment/Employment Information

Boston University Academic Appointment or Job Title:	Start Date (or Extension Start Date):	End Date (or Extension End Date):
Field of Teaching, Research, Employment or Specialization:		
Brief nontechnical description of research, teaching and/or other work to be performed:		
What type of work will the job involve? ☐ Teaching ☐ Research ☐ Both ☐ BU Staff ☐ Other:		Tenure Status: ☐ Non-tenured ☐ Tenure Track ☐ Tenured

		If part-time, specify:		
Employment Status:	☐ Full-time (40 hours per week) ☐ Part-time	hours per week	% of full-time	$ per hour

Does the position require a state license or other certification?
☐ No ■ Yes If yes, list type(s):

Please continue on Page 2

E. Location(s) of Employment/Activity

Primary address where this scholar/employee will teach, research, or work (include city, state, and zip code):

Has scholar/employee received HR approval for a Remote Work Arrangement? ☐ No ☐ Yes, attach copy of approved Remote Work Arrangement

Will scholar/employee engage in research, teaching or other activities at additional locations not covered under HR Remote Work Arrangement? ☐ No ☐ Yes, provide the following:

*Address of additional worksite(s): *attach additional sheet as appropriate	*Dates (if known), days and/or hours per week at this worksite	Explain how the activity at this worksite(s) is related to the required employment or activity at BU

F. Funding Information

Total annual salary and/or other funding:	Scholar/employee's principal source of funding is:	If J-1 scholar sponsorship requested:
	☐ BU salary ☐ BU per diem, stipend, or housing (in lieu of salary) ☐ Boston Medical Center salary ☐ Other - Please explain:	☐ The host department has reviewed the financial documents of this scholar and the funding meets the minimum requirement established by BU per: http://www.bu.edu/isso/scholars/minimum-funding.html

G. Required Attestations for All Immigration Sponsorship Requests

We, whose signatures appear on FORM A, Section J (page 3) certify and attest to the following:

1. We have reviewed all of the information on this form as well as on the corresponding Supplement or Certification forms (e.g., J, H, TN, O Supplement and/or J Student Intern Certification) and required supporting documents, as outlined in the Request for Immigration Sponsorship instructions and it is, **to the best of our knowledge**, true and correct.
2. We understand that, pursuant to Boston University policy, neither we nor the sponsored individual are authorized to retain **private counsel** to represent BU's interests. All nonimmigrant petitions (e.g., J, H, O, or TN) must be channeled through the International Students and Scholars Office (ISSO); and sponsorship for all graded-staff positions and/or immigrant petitions (permanent residence, also known as "green card") require approval of the Provost on the Charles River Campus.
3. If the **terms this sponsored individual's employment or activity** change in any way, or if the sponsored individual ceases to be employed or engaged in the activity before the end date outlined on page 1 of this sponsorship request form, we will notify the ISSO in advance.
4. **Timing of requests:** We understand that the department must submit requests for initial appointments, extensions, and changes in this sponsored individual's employment or activity in accordance with the ISSO's published processing timelines. We understand that failure to comply with the timeline specific to this individual's immigration classification could result in one of the following (**NOTE**: this is particularly important for time-sensitive petitions such as TN, H-1B and O, and/or in situations where a change to another immigration classification is required).
   a. A significant delay in beginning employment/activity (for new sponsored individuals).
   b. A period of time in which the department must terminate the employment without possibility of compensation (retroactive payments are not permitted).
   c. Require the sponsored individual (and any effected dependents) to travel to her/his home country.
5. We understand that the appropriate **immigration classification** is determined by the ISSO in accordance with University policy and government regulations.
6. We understand that other provisions and restrictions may apply before employing/hosting the sponsored individual based upon the prospective sponsored individual's **personal circumstances and visa history**. For example: individuals who are currently or have been recently in the U.S. in "J" nonimmigrant status may be subject to a home country physical presence ("residence") requirement which may prevent a change of status.
7. We understand that **non-compliance with federal and state regulations** to which we are attesting through this and other documentation we have submitted and will submit can result in significant fines and will jeopardize BU's ability to sponsor international scholars in the future.
8. We understand that we are required to **report any change in the date of arrival/appointment start date** to the ISSO immediately as it may require additional immigration processing, adjustment to the immigration record or the conferral of updated appointment and/or job offer terms.
9. We understand that we **may not make the following changes** without ISSO review and that, in some cases, the ISSO will need to file a new or amended petition and receive approval (retroactive payments are not permitted) pursuant to US law and related procedures before we can process the change:
   a. promotion or other change in job title or rank. b. any decrease in salary/benefits. c. change in location of work or Remote Work Arrangement
   d. Substantial changes in job duties/responsibilities. e. A substantial increase in salary/benefits. f. Change in weekly hours of employment
   g. Consideration for any leave of absence (including sabbatical, FMLA, etc.)
10. We understand that Boston University (including the ISSO, the Offices of Human Resources, or individual host departments) may be subject to **audits or on-site compliance reviews** pertaining to the sponsorship of nonimmigrant employees; that these audits and on-site inspections may be made by agents or designates from US Department of Homeland Security (Immigration and Customs Enforcement), US Department of State, US Department of Labor or other agencies, as applicable; and that any questions related to audits or compliance visits should be referred immediately to the ISSO.

Please continue to Page 3 – Signed Attestations Required

H. Additional Attestations Required for Sponsorship in H 1B, O 1, TN or E 3 Classification

If sponsorship in H-1B, O-1, TN, or E-3 classification is requested, then we, whose signatures appear on FORM A, Section J (page 3) also certify and attest to the following:

1. If the employee will obtain H-1B or E-3 classification:
    a. 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.
    b. The department **will pay the employee at least the higher of either (i) 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, (ii) the prevailing wage** as determined by the US Department of Labor for those in similar occupations in the Boston area. (Note: ISSO will seek a determination of the prevailing wage in accordance with Department of Labor standards.) If the employee may work at more than one distinct work site, ISSO will seek a prevailing wage determination for each work site and the employee must be paid at least the highest of (i) the actual wage or (b) the highest of the prevailing wage assignments received for the multiple work sites.
    c. We agree to, and the **department will abide by, the terms of the labor condition application** (LCA) for the duration of the employee's authorized period of stay for H-1B or E-3 employment.
        i. We certify that we will maintain a valid employer-employee relationship with the employee at all times.
        ii. If the employee is assigned to a new position, we will notify the ISSO in advance in order to post an LCA prior to the employee's reassignment.
    d. If the employee will be placed at any location or receives HR approval for remote/hybrid work from home other than the one(s) listed on page one of Form A, for a period longer than five (5) days, the Department will notify ISSO in advance by completing a **Change in Employment Form** [http://www.bu.edu/isso/files/pdf/h1-change.pdf]**.**
        - If the new location is deemed a "short-term placement," then the Department will cover all actual expenses (travel, housing & living) for work and non-work days spent by the employee on site.
        - If the new location is deemed to be a "work site," we understand the filing of a new Labor Condition Application and amended H-1B or E-3 petition may be required.
2. If the employee will obtain H1-B, O-1, or E-3 classification:
    a. **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 or country of last legal residence.
    b. There is **no strike or work stoppage** in the department at the time of signing this form.
    c. Employee will **not be placed on unpaid leave** or any type of non-pay status at any time without ISSO approval.
3. We understand that the University must **certify that the sponsored individual does not need a license** from the US Department of Commerce or the US Department of State **to have access to technology and data** in connection with his/her research at the University and we understand that the University will rely on this certification for that purpose. Specifically, the hiring Department/Center understands that it is essential that they maintain the University's commitment to openness in research and by ensuring that the employee does not:
    a. Formally or informally agree to keep confidential technology or data that is export controlled; or
    b. Formally or informally agree to restrictions on the scholar's ability to disseminate and publish the results of his/her research; or
    c. Travel outside the U.S. in connection with his/her work for the University without seeking the advice of the University's designated export control officer.
4. We understand that all members of the Department/Center and the University are obliged to comply with **export control laws.** In addition to affirming the statements in Paragraph 10, the Department Host certifies that:
    a. The research in which the Host expects the sponsored individual will be involved does not involve activities related to the proliferation of nuclear, chemical or biological weapons or missile technology.
    b. The research in which the Host expects the sponsored individual will be involved does not involve materials, technology or services listed on the **Commerce Control List [**https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear] or the **Munitions List:** [https://www.pmddtc.state.gov/regulations_laws/itar.html/?id=ddtc_kb_article_page&sys_id=%2024d528fddbfc930044f9ff621f961987].
5. For Department Hosts (Principal Investigators or Supervisors) from the College of **Engineering,** the Departments of **Earth Science, Computer Science, Computational Science, Cognitive and Neural Systems, Math, Physics**, and the Centers for **Remote Sensing, Space Physics** and **Photonics,** the attestation below includes an individual certification of the following:
    a. I work, or will work with the sponsored individual, should he/she be granted permission from the US government to work within the University. I will work with the sponsored individual in a capacity that enables me to anticipate the particulars of his/her research and work at the University.
    b. I affirm that the contents of this form (Form A: Request for Immigration Sponsorship) are true, to the best of my knowledge, information and belief. I confirm that I have reviewed the Munitions List (referenced above) and I do not expect that the sponsored individual's work will involve technology or technical data on that list.
    c. If at any time during the approved employment period I become aware that technology or technical data have/are/or will be released to the sponsored individual in ways that were not anticipated, or that work in the sponsored individual's lab is governed by a confidentiality agreement of any kind, I will immediately notify the designated University export control officer. In addition, I will notify the designated export control officer before the sponsored individual begins work activity outside my control or knowledge.

J. Signatures

	Signature (e signature accepted)	Print Name	Date signed
Department Host *			
Department Chair *			
Dean			

*Requests for sponsorship for graded staff positions require signature from (1) employee's direct supervisor and (2) administrative department director