

DETAILED INSTRUCTIONS FOR COMPLETING THE ACTUAL WAGE CERTIFICATION FORM

Step One

Complete Part I of the Actual Wage Certification form, including the **position title, position number, and UT job title** to be held by the H-1B employee, as well as a description of the H-1B employee's own background (experience and education). This will be different from the minimum job qualifications as stated on the H-1B request form. Also give a brief description of job duties, including any supervisory duties. Note: The UT Job Title is the title listed in the UT list of titles on the Human Resources website. (For academic position, use the title given by the Provost's Office)

Step Two

Create a list of **all** persons currently employed in your **Organizational Unit** with the same **UT job title**. This may include persons employed on several different account numbers or in different laboratories. It may also include people with different "position titles" as used by the department.

Note: If you do not know what your Organizational Unit is, contact the Human Resources Office.

Step Three

Enter information for all listed employees (with this **job title**) on the Actual Wage Comparison Chart Page Two) including the name, personnel number, and salary of each employee. Do not include the name of the H-1B employee in the chart, even if he/she is already employed. (Note: Departments may create their own Comparison Chart as long as the general format is the same, and it contains all required information.) If there are no employees at all with the same job title, in the entire organizational unit, then check the appropriate box.

Step Four

For each employee, indicate whether he/she is comparable to the H-1B employee, by writing "Yes" or "No". This determination should be made **ignoring the salaries**, based only on the employees' backgrounds and job duties. **IMPORTANT:** Please read "Actual Wage Certification Overview" for an explanation of criteria which may or may not be used to determine comparability.

Step Five

For each employee marked "not comparable", clearly explain why employee or position is not comparable to the H-1B employee, using only the criteria permitted by the U.S. Department of Labor. Use the following format:

- § This employee has seven years of work experience, while the H-1B employee has only one.
- § The H-1B employee will supervise three employees while this employee has no supervisory responsibilities.

Note: If you are not sure about the reasons for eliminating a person from comparison, consult the UT Human Resources office.

NOTE: It should be very unusual to eliminate ALL other employees from comparison. If all other employees with this job title have been marked "not comparable", be sure to explain and document the reasons for this.

Step Six

Look at the salary range for all **employees which are listed as comparable** to the H-1B employee. Using the lowest and highest salary **of comparable employees**, enter in Item 15 of the Actual Wage Certification form, to indicate the Actual Wage for this position. (If all comparable employees receive the same salary, enter this figure in both places.)

If there are no comparable employees in the organizational unit, check the appropriate box of the Actual Wage Certification (Page 1).

Step Seven

Enter the proposed salary for the H-1B employee in Item 16 of the Actual Wage Certification form. If this salary falls within or above the actual wage range, the Department Head (Head of the Organizational Unit) should sign the Actual Wage Certification statement. **If the H-1B salary falls below the Actual Wage range, then this form may not be signed.** If this is the case, call Human Resources for advice.

Step Eight

The signed Actual Wage Certification form, the Comparison Chart, and a photocopy of the signed H-1B Request, should be sent to UT Human Resources, 221 Conference Center Building. *Do NOT send the Actual Wage Certification Form, or a copy of it, to the Center for International Education.*

The Human Resources office will verify that the employment of this H-1B employee has been approved (pending approval of the H-1B status), that the job title and job requirements are appropriate, and that the employee is making the Actual Wage. This certification will be sent by Human Resources to the UT Center for International Education so that H-1B processing may begin.

IMPORTANT: It is the responsibility of the hiring department to make sure that the Actual Wage Calculation form has been received by Human Resources. We suggest you call the Center for International Education about one week after the form has been mailed to verify that the certification has been received by CIE.