

FORM ISSS-1

International Student and Scholar Support
Immigration Services
1705 College St., Close Hipp 470
Columbia, SC 29208
immigration@sc.edu



International Student and Scholar Support
UNIVERSITY OF SOUTH CAROLINA

**HIRING UNIT COMPLIANCE ATTESTATIONS AND WAGE WORKSHEET
FOR H-1B SPECIALTY OCCUPATION**

Employee Name: _____

I. POSITION DESCRIPTION/INFORMATION

Hiring Department / College / Campus: _____

Title: _____

Minimum Required Degree(s) & Field of Study (per job ad); Minimum required training and/or work experience (other than expertise obtained during degree program); provide # months and summary; Duties: See PD

H-1B Dates (mm/dd/yy):¹ Start: _____ End: _____ (typically 3 years)

Pay Basis: F/T P/T **Salary:** \$ _____

Benefits: No Yes, with value of \$ See fringe memo per year.

Supervise Non-Student Employees: No Yes (#: _____)

Additional Compensation: No Yes, with value of \$ see offer per year.

Complete physical street address for each worksite (please attach addendum if there are more worksites):

1. _____
2. _____

II. LEGALLY BINDING EMPLOYER ATTESTATIONS

BY SIGNING BELOW, THE USC HIRING UNIT UNDERSTANDS AND AGREES TO THE TERMS AND CONDITIONS OF H-1B EMPLOYMENT SET FORTH BY THE IMMIGRATION AND NATIONALITY ACT AND CONFORMING REGULATIONS ISSUED BY U.S. CITIZENSHIP AND IMMIGRATION SERVICES [8 CFR 214.2 (H)] & U.S. DEPARTMENT OF LABOR [20 CFR 655 AND 656]:

- **The H-1B worker will be paid the actual or prevailing wage, whichever is higher**²
- The H-1B worker will also be paid for **non-productive time**³
- The H-1B worker will be offered **benefits** on the same basis as similarly employed U.S. workers
- Employment of the H-1B worker **will not adversely affect the wages or working conditions of similarly-employed workers** in the area of intended employment
- On the date this attestation is signed/submitted, **there is no strike, lock-out or work stoppage in the course of a labor dispute** in the occupation in which the H-1B worker will be employed at the place of employment
- **The hiring unit will provide notice of the H-1B petition** to workers employed in the occupation in which the H-1B worker will be employed with postings in two conspicuous places⁴
- In the event that employment is terminated prior to the expiration of the H-1B permit, **the hiring unit will be responsible for the reasonable cost of the H-1B employee’s return transportation to his/her last country of legal permanent residence abroad.**
- There have been **no layoffs among similarly-employed workers within the 90-day period** preceding the dates of signatures on this form and no layoffs are presently anticipated
- The hiring unit has **adequate funds available to pay the wage or salary** required by Department of Labor

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- The job opportunity’s terms, conditions, and occupational environment are **in compliance with federal, state and local laws**
- The job opportunity has been and is clearly **open to any qualified and available U.S. worker.**

BY SIGNING BELOW, THE USC HIRING UNIT UNDERSTANDS AND AGREES TO THE TERMS AND CONDITIONS OF EXPORT CONTROL REQUIREMENTS SET FORTH BY THE ARMS EXPORT CONTROL ACT, EXPORT ADMINISTRATION ACT/INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT, AND CONFORMING REGULATIONS ISSUED BY U.S. DEPARTMENT OF COMMERCE [15 CFR 730-774] AND THE U.S. DEPARTMENT OF STATE [22 CFR 120-130]. IN CONSULTATION WITH THE USC OFFICE OF RESEARCH COMPLIANCE, THE DEPARTMENT ATTESTS THAT (select one of the following):⁵

- A license **is not required** from either the U.S. Department of Commerce or the U.S. Department of State to release such technology or technical data to the foreign person.
- A license **is required** from the U.S. Department of Commerce and/or the U.S. Department of State to release such technology or technical data to an H-1B worker, the University of South Carolina supervisor will prevent access to the controlled technology or technical data by the H-1B worker until and unless the petitioner has received the required license or other authorization to release it to the beneficiary.

WE ATTEST TO THE ACCURACY OF INFORMATION PROVIDED HEREIN AND ACCEPT FULL RESPONSIBILITY FOR REPRESENTATIONS MADE ON OUR BEHALF BY THE OFFICE FOR INTERNATIONAL SCHOLARS REGARDING THIS POSITION.

HIRING UNIT SIGNATURES:

College/School HR Director or Budget Manager: _____ Date: _____

Department Chair: _____ Date: _____

¹ Up to 3 years per H-1B petition.

² “Actual” wages are the average of comparable and confirmed salaries in the department as listed below in Part III; the “prevailing” wage is determined by DOL.

³ Unless the pay basis is for a specified time period common to the occupation (e.g., 9-month academic appointment).

⁴ OIS will prepare and send public notices to hiring unit with instructions for posting, signature and removal.

⁵ For guidance on export control subjectivity, please consult with the USC Office of Research Compliance