Welcome
to the
HR Liaison/Wellness Breakfast
April 2013
HR Liaison/Wellness Breakfast
April 2013
HR Liaison of the Quarter
Kimberly Clark
4th Quarter – 2012
HR Liaison/Wellness Breakfast
April 2013

HR Liaison of the Quarter
Tammy Simpson-Turner
1st Quarter – 2013
Office for International Students & Scholars

H-1B Visa Information
Visiting Scholars

J-1 Visa Categories:

- **Research Scholar/Professor**: Can be issued from 3 weeks to 5 years. Extensions beyond 5 years are not possible. Subject to 24 month bar.

- **Short term scholar**: Can be issued from 1 day to 6 months. Change of Visa Status in the US is not permitted.

**To Request a J-1 Visiting Scholar**: Submit the Request for Visiting Scholar Form, Offer Letter, Proof of Funding if UD is not funding the scholar, a completed FedEx/DHL Shipping label and confirmation of who pay the $100 UD International Service Fee

**Important**: Can NOT be hired for a tenured or clinical position.
Visiting Scholars

Two Year Home Residence Requirement

Exchange visitors and their dependents who are subject to the two-year home country residence requirement must "reside and be physically present" in their "home" country for an aggregate of two years before being eligible for certain immigration benefits.

When are they subject to the requirement:
1. Exchange program was financed, directly or indirectly, by the United States government or a foreign government.

2. Skills they are coming to develop/exercise are in a field which the exchange visitor’s home government requested to be on the EV Skills list.

3. Visiting Scholar is here for graduate medical education or training.
Visiting Scholars

Two Year Home Residence Requirement

Restrictions for a visiting scholar subject to the requirement:

1. Not eligible for lawful permanent resident (immigrant/green card) status.
2. Not eligible for an H, L, or K visa.
3. Not eligible to change their nonimmigrant status within the United States from J to any other nonimmigrant category.

It does NOT mean that they cannot return to the US for 2 years. They are not eligible for these 3 benefits until they complete the 2 year requirement or receive a waiver.
What is an H-1B Visa?
Designated for individuals coming temporarily to the U.S. to perform services in a specialty occupation (requires (A) theoretical and practical application of a body of highly specialized knowledge, and (B) attainment of a bachelor’s or higher degree in the specific specialty)

The hiring department must provide documentation to prove that the position is a specialty occupation (requiring a Bachelors degree or higher) and that the international person has those qualifications. The United States Citizenship and Immigration Service (USCIS) will make the final decision on whether or not the individual qualifies for the H-1B classification.
Temporary Employees (H-1B)

Time Limits and Full/Part time H-1B’s

Employment can be requested for up to maximum 3 years. The H-1B can be extended (if the individual is eligible) for a maximum of 6 years.

Exception: If an individual is at a certain stage in the permanent residency process, he/she may be eligible for an H-1B extension beyond the 6-year maximum. OISS and Payroll should be contacted to determine if the H-1B applicant is eligible.

An H-1B visa can be applied for either Full-time or Part-time positions. The department is responsible for documenting payments and hours worked per week. There are no minimum hours for part-time H-1B employment, but USCIS can request information about how the H-1B employee will support themselves.
Wages and Fees

• **Actual Wage Determination:** The department is required to pay the H-1B Worker the greater of the Actual Wage or Prevailing Wage. The department must include with the H-1B request a clear explanation of the system that was used to determine the 'actual wage’. The documentation should be detailed enough that a third party would be able to understand how the department applied its compensation system to arrive at the actual wage for the given position.

• **Prevailing Wage Determination:** The University is required to obtain a Prevailing Wage Determination. If a wage is governed by a Collective Bargaining Agreement (“CBA”) then such wage will be the prevailing wage. If the wage is not governed by a CBA, then the wage is determined by the Department of Labor.

• **Notice of Filing:** If the position is not governed by a CBA, the department must post a notice of filing (provided by OISS) in two conspicuous places (where notices are commonly posted) for 10 consecutive business days.
Temporary Employees (H-1B)

Export Control

• The University of Delaware must certify whether export licensing will be required for the work.
• “Export Control Certification From”
• STEM
• Form must be signed by the Empowered Official at the Research Office and submitted with other supporting documentation
• If a foreign national employee’s source of funding changes, a new certification form is required.
Important Notes

- **Extensions:** Current H-1Bs may remain in the U.S. and employed for 240 days, while waiting for a timely filed H-1B extension/transfer approval from USCIS.

- **Amend Program:** If H-1B employee will change departments, positions title, duties, hours (full to part or part to full-time) or salary OISS must be notified. It may be necessary to amend the current H-1B petition. If there are any substantial changes in the position such as new job title, qualification, duties, location, etc.

- H-1Bs from other institutions invited to lecture, collaborate, conduct research or present at our institutions can receive reimbursement and or allowances for reasonable living and transportation costs only. **They are not authorized to receive honorarium.**

- If your department dismisses the employee before the end of the authorized period of H-1B employment, your department will be responsible for paying the reasonable costs of return transportation of the employee to the employee’s last place of foreign residence.
Temporary Employees (H-1B)

Application Steps

1. Applicant must contact the hiring department to initiate the H1B process.
2. The hiring department must work with the applicant and submit a completed H-1B Questionnaire to the OISS with three (3) copies of all requested documents and fees listed on the Questionnaire.
3. The OISS will process the Prevailing Wage Request (PWD). It can take up to 8 weeks to receive a response from the Department of Labor.
4. The OISS processes the Labor Condition Application (LCA) and provides the department with the required 10 day posting in the form of a “Notice of Filing.” The LCA is usually approved within 7-10 days.
5. The OISS submits an H-1B petition to USCIS (Form I-129, the DOL-certified LCA, and supporting documents) to USCIS. Approval may take up to 120 days. (Premium Processing is available to the department or applicant. This process allows a response in 15 business days for a fee of $1225 payable to USCIS)
Temporary Employees (H-1B)

Application Steps

**New Procedures:**

- If the position is not governed by a Collective Bargaining Agreement (CBA), the OISS will file a Prevailing Wage Determination (PWD) with the Dept. of Labor. This will increase processing times **by a minimum of 6 weeks**. There is no procedure or fee that will expedite this process.

- **Please thoroughly fill out the 2nd page of the H1B Questionnaire:** The Request for PWD is to be completed with information regarding the **job NOT the scholar**. It is very important to only state the **MINIMUM** requirements for the job. If the prevailing wage comes back high, you are required to pay the minimum wage if the H-1B process is going to continue.
Temporary Employees (H-1B)

Application Fees
The hiring department will cover all costs associated with processing and filing the H1B:
• USCIS Application Fee: $325
• Anti-fraud Fee:$500 (not needed for extensions)
• UD International Service Fee: $250
• Premium Processing Fee: $1225 (Optional. Will only expedite the I-129 not the LCA or PWD)

Checks can be requested by submitting a Request for Vendor and selecting as a vendor:

UOD01
USFEDGOV-001
UNITED STATES GOVERNMENT
2400 AVILA ROAD
ROOM 2312
LAGUNA NIGUEL, CA 92677-3400
Temporary Employees (H-1B)

Processing Times for H-1B Visas
We HIGHLY recommend that you submit your H1B questionnaire at least six months prior to the start date or expiration of the current status.

1. PWD processing: 6-8 weeks
2. LCA processing: 2 weeks
3. OISS processing: 1 week
4. USCIS processing: Regular Processing: 5 months; Premium processing: 15 days
5. Consular Processing: If the applicant is not in the U.S., he/she will need to apply for an H1B visa Stamp at a U.S. embassy in order to enter the country.

Depending on the embassy/consulate abroad, foreign nationals should anticipate up to one week’s processing time for a visa. Visa wait times for interview appointments and visa processing time information for each U.S. Embassy or Consulate worldwide are available at the Department of State Website.
Office for International Students & Scholars

OISS Staff

• Ravi Ammigan – Director
  rammigan@udel.edu
• Frances O’Brien – Immigration Services Advisor (ELI) / frances@udel.edu
• Anne McCullin – Immigration Services Advisor (Graduate) / annemc@udel.edu
• Janica Kriss – ISS Associate (J-1 V.S./H1B) / jdkriss@udel.edu
• Brenda Foraker – ISS Associate
  (Undergraduate) / brendaf@udel.edu

Location: 413 Academy Street
Phone: (302) 831-2115
Email: oiss@udel.edu
Website: www.udel.edu/oiss
Compensation System

• Compensation Guidelines
  o General guidelines about the system
  o Managing pay within the structure
  o Employee-based changes
  o Position-based changes

• Job Specifications
  o Key elements of jobs (not full description)
  o Multi-level job families
  o Four already posted
  o Approximately 30 or more to follow
    when complete
Voluntary 403(b) for Miscellaneous Wage and S-Contract Employees
Open Enrollment
May 13-29
www.udel.edu/flexnet
2013 Benefits & Wellness Fair
Tuesday, May 14
9:30 A.M. – 3 P.M.
Trabant Multipurpose Room
2013 Downstate Benefits & Wellness Fair
Tuesday, May 21
9 A.M.-12 P.M. Georgetown
1 P.M.-3 P.M. Lewes
Screening Zone

Participate in a variety of health screenings.
For details and to register, go to www.udel.edu/wellness
“Bike-to-Work Day”

Tuesday, May 14 • 7:30-10:00 A.M.

Trabant Student Center Patio
HR Briefings

• One-hour sessions facilitated by staff specializing in various HR functions.

• The sessions will provide employees with in-depth knowledge of key HR functions and policies that will help guide strategic decisions in their units.

For more information, please visit the EED website at [www.udel.edu/eed](http://www.udel.edu/eed) and view the “classes and registration” menu.
UDidIt!
Employee Appreciation Picnic

Monday, June 3, 2013
11 a.m.-1 p.m.
Under the tent on The Green

SEE YOU THERE!
Employees Appreciation Night

Friday, June 14, 2013
Food, Fireworks, and Fun!!!
Tickets $13 dollars

See www.udel.edu/hr for more information
Service Awards Dinner

The Service Award program honors employee service to the University of Delaware at five year intervals.

Employees select from special gift collections and are invited to a celebratory event in the spring, either the Service Award Luncheon or the Service Award/Retirement Dinner.

Upcoming Service Recognition Dinner: May 16, 2013

http://www.udel.edu/hr/service-awards.html
Take our daughters & sons to work day

Thursday, April 25, 2013
Perkins Student Center, Rodney Room
9:30-2:45

www.udel.edu/hr
• SharePoint
  – CAS log in!!
  – Collaborative environment for committees

• Implementation
  – Pilot → Training → Campus go live
  – Ready for faculty searches
• Search Committee – Affirmative Action Briefing
  – Equal Opportunity/Affirmative Action
  – Search Committee Responsibility
  – Unlawful Interview Questions/Subjects
• Recruitment Manual
  – Combine Process Manual & Tool Kit
  – Cover All Aspects of Recruitment Process
  – Focus Group
  – Ready for Faculty Searches
• Other Projects
  – RFP – Temporary Services
  – Testing/Assessments
  – Executive Searches
Performance Appraisal Enhancements

- Ability to create an Initial Performance Review for new hires
- Ability to create a Performance Appraisal for an employee who has been out on a leave of absence
- Ability to make goal adjustments throughout the performance appraisal period
**Employee Merit Enhancements**

**Phase I of Employee Merit Enhancements:**

- Security/Routing Enhancement- Owner, Editors, Viewers, Final Approver
- Comments Required when entering $ in Structural Increase, Auto Increase, and Equity Increase columns
- Flagging employees not at minimum
- Acknowledging employees who are at the maximum
- EM JED will be like the current JED form and will auto update
- New columns added next to the JED Increase column to acknowledge added ninths/supplements
- Department user group page with have Pool $ Used (to date) and Pool $ Balance (as of today)
Revised I-9 Form

• Revised form will be on our webpage
• Shred all old version’s of the I-9 form, they will no longer be accepted
• Changes to revised I-9 form:
  – Revised layout, reformatted and expands over 2 pages (page 1 employee completes and page 2 is for the employer to complete)
  – Section 1 Maiden name field is now “Other Names”
  – Section 1 has optional fields for the employees phone number and email address
  – New Section for employee’s name on page 2
  – Social Security Card is still an acceptable form of documentation unless the card includes the following restrictions:
     • NOT VALID FOR EMPLOYMENT
     • VALID FOR WORK ONLY WITH INS AUTHORIZATION
     • VALID FOR WORK ONLY WITH DHS AUTHORIZATION
Section 1

Maiden Name Field has changed to Other Names Used

Two new optional fields

More space and clear indication where employee should sign
Section 2

Must put employee’s name on second page

More space to complete the section appropriately

Separate line to fill in employee’s hire date

New field for Employer/Organization Name
I-9 Hints & Tips

- Suggest to Print double-sided so that no pages are lost
- Always double check that an employee has entered their SSN on the form and has signed the form
- Unsigned Social Security Cards can be accepted
- Laminated Social Security Cards can be accepted
- Receipts for lost, stolen or damaged cards can be used
- Section 2 must be completed no later than 3 business days after the employee begins work
- Always complete section 2 fully
  - Enter all appropriate information, document title, issuing authority, document number, and expiration date. If the document does not have an expiration date put N/A
- Make sure to enter employee’s first day of hire
- Other Names Used, Email Address, Telephone Number if no information is entered the employee needs to put N/A
Time & Attendance – New Name

- The new Time & Attendance system is now UD Time.
- We changed the name in order to more accurately reflect the purpose of the system and that is to collect time.
UD Time Testing

• A big thank you to all of those individuals who helped us with testing.

• This helped us a lot with understanding the business practices of the departments. The questions asked are helping us to prepare comprehensive training for all users.

• We are no longer having departments coming in to test because the focus is now on Payroll testing.

• Thanks again!
Data Collection

- We have started collecting some data from departments such as supervisor codes and schedules. It is very important for us to get this data from you in order to set up UD Time accordingly.

- We are working on testing the Additional Assignments Form and JED. Once they are completed we will be asking departments for additional assignments information, default rates and funding information for students and misc wage employees.

- We will also be collecting leave balances in July.

- We are looking into restricting access to UD Time from specific computers. If you have a specific need, please complete the sign up sheet at the registration tables. If possible we will consider this on a case by case basis.
UD Time Timeline

- May – Testing, data collection and communication with the entire campus community.

- June & July – Data collection, communication and training

- August 4, 2013 – Go Live!
We are working on revamping the website to reflect the new name and to add more information. We will notify you when the website is completed.

OR

If you have any questions, please send an e-mail to Time-Attend-users@udel.edu.