



## ACTUAL WAGE CERTIFICATION

As part of application process for an H-1B or E-3 worker, the UW is required to provide documentation of how we determine the actual wage using an **objective compensation system**. The actual wage is the wage rate paid other employees with similar experience and qualifications who are performing the same or similar job as the H-1B or E-3 worker. This form is designed to assist your department with documenting the actual wage. This is an internal form and will be included in the Department of Labor (DOL) Public Access File maintained by IFSS. ***The UW is required to pay the higher of the actual wage or the prevailing wage.***

Actual Wage Regulation: 20 C.F.R. § [655.731\(a\)\(1\)](#), [655.731\(b\)\(2\)](#), [655.731\(a\)\(1\)](#), and [655.760\(a\)\(3\)](#)

Department Name: \_\_\_\_\_

Initials of Employee: \_\_\_\_\_

### DOCUMENTATION OF THE ACTUAL WAGE

Complete the chart on page 2 for all other employees currently working in your department with the same position title and prefix as the H-1B or E-3 worker.

1. Enter the EmplIDs of all other employees and their current salaries (regardless of A or C basis; do NOT annualize C basis salaries). **DO NOT list the H-1B or E-3 employee this petition is for in this chart.**
2. Check “Yes” if the employee is in a position with comparable responsibilities and qualifications as the H-1B or E-3 worker. Check “No” if the employee is in a position that does not have comparable responsibilities and qualifications as the H-1B or E-3 worker.
3. If you check “No”, also state the reason (s) for the difference in salary. Please quantify when necessary (e.g. how many more or less years of experience?) and provide as much detail as possible (e.g. what kind of specialized knowledge or skill does the employee have that the H-1B or E-3 worker does not?).
4. If there are no employees with the same position title and prefix as the H-1B or E-3 worker, check the corresponding box at the bottom of the chart on page 2.
5. Submit to IFSS for calculation of the actual wage.

Examples of acceptable reasons	Unacceptable reasons
More/less years of relevant work experience (indicate which and specify how many more/less years)	Funded by a different grant
	Different research area or lab
Different educational credentials (explain)	Past salary freezes
Higher/lower level of responsibility (explain)	Employee demanded more salary
Specialized knowledge or skills (explain)	Change in funding
Awards/publications/professional distinction (explain)	Willingness to work longer hours
Other legitimate business factors (explain)	Other subjective reasons (i.e. gets along with others)

UW Empl ID	Salary	Comparable?	If no, reason(s) why not comparable
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	

There are no employees with this title in this Department.

\*Print additional sheets as needed

**ACTUAL WAGE DETERMINATION (IFSS WILL COMPLETE)**

Based on the salaries of similarly employed workers listed above, the actual wage determination is \$ \_\_\_\_\_.

There are no similarly employed workers. Therefore, the actual wage determination is \$ \_\_\_\_\_, which is the salary being offered to the H-1B or E-3 beneficiary.

Based on the prevailing wage determination and evidence from the Department regarding the actual wage, I certify the University of Wisconsin – Madison is paying the H-1B or E-3 employee the higher of the two wages.

<b>Signature:</b>
<b>Name of IFSS Staff Member:</b>
<b>Today's Date:</b>