

ETA-9089 WORKSHEET

International Faculty and Staff Services is the only office authorized by UW-Madison to file form ETA-9089 with the Department of Labor (DOL) for Labor Certification on behalf of employees of the University. This worksheet contains the sections of the form that the hiring Department and the employee must complete and submit to IFSS. When all information and supporting documentation is complete, IFSS will submit form ETA-9089 electronically to the DOL.

Section D Employer Contact Information

Complete the Chair's contact information.

D. Employer Contact Information (This section must be filled out. This information must be different from the agent or attorney information listed in Section E).

1. Contact's last name	First name	Middle initial	
2. Address 1			
Address 2			
3. City	State/Province	Country	Postal code
4. Phone number		Extension	
5. E-mail address			

Section G Wage Offer Information

Put the specific annual salary offered to the employee.

G. Wage Offer Information

1. Offered wage			
From:	To: (Optional)	Per: (Choose only one)	
\$	\$	<input type="checkbox"/> Hour	<input type="checkbox"/> Week <input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Month <input type="checkbox"/> Year

Section H Job Opportunity Information

Complete all information regarding the job as it was advertised and as it appeared on the Position Vacancy Listing (PVL).

Training and experience do not refer to what is gained as a graduate student. Generally, no training or experience is required for an Assistant Professor position beyond the Ph.D.

#15 Combination of occupations – this does not include cluster hires, but rather positions that normally are not filled by the same person.

H. Job Opportunity Information (Where work will be performed)

1. Primary worksite (where work is to be performed) address 1		
Address 2		
2. City	State	Postal code
3. Job title		
4. Education: minimum level required:		
<input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate <input type="checkbox"/> Other		
4-A. If Other is indicated in question 4, specify the education required:		
4-B. Major field of study		
5. Is training required in the job opportunity?		5-A. If Yes, number of months training required:
<input type="checkbox"/> Yes <input type="checkbox"/> No		

5-B. Indicate the field of training:	
6. Is experience in the job offered required for the job? 6-A. If Yes, number of months experience required: <input type="checkbox"/> Yes <input type="checkbox"/> No	
7. Is there an alternate field of study that is acceptable? <input type="checkbox"/> Yes <input type="checkbox"/> No	
7-A. If Yes, specify the major field of study:	
8. Is there an alternate combination of education and experience that is acceptable? <input type="checkbox"/> Yes <input type="checkbox"/> No	
8-A. If Yes, specify the alternate level of education required: <input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate <input type="checkbox"/> Other	
8-B. If Other is indicated in question 8-A, indicate the alternate level of education required:	
8-C. If applicable, indicate the number of years experience acceptable in question 8:	
9. Is a foreign educational equivalent acceptable? <input type="checkbox"/> Yes <input type="checkbox"/> No	
10. Is experience in an alternate occupation acceptable? 10-A. If Yes, number of months experience in alternate occupation required: <input type="checkbox"/> Yes <input type="checkbox"/> No	
10-B. Identify the job title of the acceptable alternate occupation:	
11. Job duties – If submitting by mail, add attachment if necessary. Job duties description must begin in this space.	
12. Are the job opportunity's requirements normal for the occupation? <i>If the answer to this question is No, the employer must be prepared to provide documentation demonstrating that the job requirements are supported by business necessity.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Is knowledge of a foreign language required to perform the job duties? <i>If the answer to this question is Yes, the employer must be prepared to provide documentation demonstrating that the language requirements are supported by business necessity.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Specific skills or other requirements – If submitting by mail, add attachment if necessary. Skills description must begin in this space.	
15. Does this application involve a job opportunity that includes a combination of occupations?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. Is the position identified in this application being offered to the alien identified in Section J?	<input type="checkbox"/> Yes <input type="checkbox"/> No
17. Does the job require the alien to live on the employer's premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18. Is the application for a live-in household domestic service worker?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18-A. If Yes, have the employer and the alien executed the required employment contract and has the employer provided a copy of the contract to the alien?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Section I Recruitment Information

Complete this section for a college or university teacher, not a professional occupation. The "date alien selected" is the date of the initial offer letter. Question 25 refers to the posting requirements (see the instruction packet).

I. Recruitment Information

a. Occupation Type – All must complete this section.

1. Is this application for a professional occupation, other than a college or university teacher? Professional occupations are those for which a bachelor's degree (or equivalent) is normally required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is this application for a college or university teacher? If Yes, complete questions 2-A and 2-B below.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2-A. Did you select the candidate using a competitive recruitment and selection process?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2-B. Did you use the basic recruitment process for professional occupations?	<input type="checkbox"/> Yes <input type="checkbox"/> No

b. Special Recruitment and Documentation Procedures for College and University Teachers – Complete only if the answer to question 1.2-A is Yes.

3. Date alien selected
4. Name of national professional journal in which advertisement was placed:
5. Specify additional recruitment information in this space. Add an attachment if necessary.

e. General Information – All must complete this section.

23. Has the employer received payment of any kind for the submission of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
23-A. If Yes, specify:	
24. Has the bargaining representative for workers in the occupation in which the alien will be employed been provided with notice of this filing at least 30 days but not more than 180 days before the date the application is filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
25. If there is no bargaining representative, has a notice of this filing been posted for 10 business days in a conspicuous location at the place of employment, at least 30 days before but not more than 180 days before the date the application is filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
26. Has the employer had a layoff in the area of intended employment in the occupation involved in this application or in a related occupation within the six months immediately preceding the filing of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
26-A. If Yes, were the laid off U.S. workers notified and considered for the job opportunity for which certification is sought?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Section J Alien Information

The employee should complete #1-16.

#8 This refers to the employee's immigration status at the most recent entry into the U.S. #9 and 10. Most do not have an A# but everyone who is present in the US must have an I-94 number.

The hiring Department should complete #17-23.

#22 This does not refer to a TA or RA position if the employee had been a UW student.

J. Alien Information (This section must be filled out. This information must be different from the agent or attorney information listed in Section E).

1. Alien's last name		First name	Full middle name
2. Current address 1			
Address 2			
3. City	State/Province	Country	Postal code
4. Phone number of current residence			
5. Country of citizenship		6. Country of birth	
7. Alien's date of birth		8. Class of admission	
9. Alien registration number (A#)		10. Alien admission number (I-94)	
11. Education: highest level achieved relevant to the requested occupation: <input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate <input type="checkbox"/> Other			
11-A. If Other indicated in question 11, specify			
12. Specify major field(s) of study			
13. Year relevant education completed			
14. Institution where relevant education specified in question 11 was received			
15. Address 1 of conferring institution			
Address 2			
16. City	State/Province	Country	Postal code
17. Did the alien complete the training required for the requested job opportunity, as indicated in question H.5?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
18. Does the alien have the experience as required for the requested job opportunity indicated in question H.6?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
19. Does the alien possess the alternate combination of education and experience as indicated in question H.8?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
20. Does the alien have the experience in an alternate occupation specified in question H.10?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
21. Did the alien gain any of the qualifying experience with the employer in a position substantially comparable to the job opportunity requested?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	
22. Did the employer pay for any of the alien's education or training necessary to satisfy any of the employer's job requirements for this position?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Is the alien currently employed by the petitioning employer?		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Sections K and L

The employee should complete these sections. Work experience can include relevant work as a student Research or Teaching Assistant. Work not related to this position should not be included.

K. Alien Work Experience

List all jobs the alien has held during the past 3 years. Also list any other experience that qualifies the alien for the job opportunity for which the employer is seeking certification.

a. Job 1

1. Employer name			
2. Address 1			
Address 2			
3. City	State/Province	Country	Postal code
4. Type of business		5. Job title	
6. Start date	7. End date	8. Number of hours worked per week	
9. Job details (duties performed, use of tools, machines, equipment, etc.)			

b. Job 2

1. Employer name			
2. Address 1			
Address 2			
3. City	State/Province	Country	Postal code
4. Type of business		5. Job title	
6. Start date	7. End date	8. Number of hours worked per week	
9. Job details (duties performed, use of tools, machines, equipment, etc.)			

c. Job 3

1. Employer name			
2. Address 1			
Address 2			

3. City	State/Province	Country	Postal code
4. Type of business		5. Job title	
6. Start date	7. End date	8. Number of hours worked per week	
9. Job details (duties performed, use of tools, machines, equipment, etc.)			

L. Alien Declaration

I declare under penalty of perjury that Sections J and K are true and correct. I understand that to knowingly furnish false information in the preparation of this form and any supplement thereto or to aid, abet, or counsel another to do so is a federal offense punishable by a fine or imprisonment up to five years or both (18 U.S.C. 2, 1001).

In addition, I further declare under penalty of perjury that I intend to accept the position offered in Section H of this application if I am granted a labor certification or visa or an adjustment of status based on this application.

1. Alien's last name	First name	Full middle name
2. Signature		Date signed

Section N Employer Declaration

The Department Chair must read and sign attesting to all of the declarations. IFSS will ensure that the salary being offered is equal to or greater than the prevailing wage (#1).

N. Employer Declaration

By virtue of my signature below, I HEREBY CERTIFY the following conditions of employment:

1. The offered wage equals or exceeds the prevailing wage and the employer will pay the prevailing wage from the time Permanent residency is granted or from the time the alien is admitted to take up the certified employment.
2. The wage is not based on commissions, bonuses or other incentives, unless the employer guarantees a wage paid on a weekly, bi-weekly, or monthly basis that equals or exceeds the prevailing wage.
3. I have enough funds available to pay the wage or salary offered the alien.
4. I will be able to place the alien on the payroll on or before the date of the alien's proposed entrance into the United States.
5. The employer's job opportunity does not involve unlawful discrimination, by race, creed, color, national origin, age, sex, religion, handicap, or citizenship.
6. The employer's job opportunity is not:
 - a. Vacant because the former occupant is on strike or is being locked out in the course of a labor dispute involving a work stoppage; or
 - b. At issue in a labor dispute involving a work stoppage.
7. The job opportunity's terms, conditions, and occupational environment are not contrary to Federal, State or local law.
8. The job opportunity has been and is clearly open to any U.S. worker.
9. The U.S. workers who applied for the job opportunity were rejected for lawful job-related reasons.
10. The job opportunity is for full-time, permanent employment.

I hereby designate the agent or attorney identified in section E (if any) to represent me for the purpose of labor certification and, by virtue of my signature in Block 3 below, I take full responsibility for the accuracy of any representations made by my agent or attorney.

I declare under penalty of perjury that I have read and reviewed this application and that to the best of my knowledge the information contained therein is true and accurate. I understand that to knowingly furnish false information in the preparation of this form and any supplement thereto or to aid, abet, or counsel another to do so is a federal offense punishable by a fine or imprisonment up to five years or both (18 U.S.C. 2, 1001).

1. Last name	First name	Middle initial
2. Title		
3. Signature		Date signed