



# Notice of Intent to Employ an H-1B or other Nonimmigrant

SDBOR System International Employment Services

Morrill Hall Room 315, Box 2201, Brookings, SD 57007

Date: \_\_\_\_\_

This notice is posted to satisfy Department of Labor requirements as part of an application to the US Citizenship and Immigration Services for temporary intended employment of an alien.

University \_\_\_\_\_

Job Title \_\_\_\_\_ Department \_\_\_\_\_

Rate of Pay \_\_\_\_\_ Period of Employment From: \_\_\_\_\_ To: \_\_\_\_\_

Number of H-1B or other employees being sought for this position \_\_\_\_\_ 1 \_\_\_\_\_ LCA

Department of Labor regulations require the following criteria be met when filing a labor condition application on behalf of an employee:

**Wages:** Employers must pay nonimmigrants at least the local prevailing wage or the employer's actual wage, whichever is higher, and pay for non-productive time. Employers must offer nonimmigrants benefits on the same basis as U.S. workers.

**Working Conditions:** Employers must provide working conditions for nonimmigrants, which will not adversely affect the working conditions of workers similarly employed.

**Strike, Lockout or Work Stoppage:** Employers attest that there is no strike or lockout in the occupational classification at the place of employment on the date the labor condition application is filed.

**Notice:** Employers must provide working conditions for nonimmigrants, which will not adversely affect the working conditions of workers similarly employed.

**The Labor Condition Application is available for inspection at:**

**South Dakota Board of Regents System International Employment Services**

**Morrill Hall Room 315, Box 2201, Brookings, SD 57007**

Complaint alleging misrepresentation of material facts in the labor condition application and/or failure to comply with the terms of the labor condition application may be filed with any office of the Wage and Hour Division of the US Department of Labor.

This notice has been posted for 10 working days from \_\_\_\_\_ Until \_\_\_\_\_  
(date) (date)

Notice Completed by \_\_\_\_\_  
(name) (position title) (department)

**Return original completed form to:**

SDBOR System International Employment Services (SIES)  
Morrill Hall Room 315, Box 2201, Brookings, SD 57007

**Notice to individual posting this form:** After posting the advertisement please write the employee's name on the ad to allow SIES to identify the employee. \_\_\_\_\_

Questions about this form? Contact System International Employment Services at 605-688-6949