

**RGlobal - International Student & Scholar Services - RBHS**

65 Bergen Street, Room GA-72, Newark, NJ 07107

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**Internal Application for Temporary Worker Status (E3)**

**About E-3 Status: Certain Specialty Occupation Professionals from Australia**

The E-3 classification applies only to nationals of Australia. The foreign national (FN) must be coming to the United States solely to perform services in specialty occupation. The specialty occupation requires theoretical and practical application of a body of knowledge in professional fields and at least the attainment of a Bachelors degree, or its equivalent, as a minimum for entry into the occupation in the United States.

The E-3 requirements are similar to H-1B but, of the FN is or will be applying for a visa to enter the US from Australia, the process does not require a petition to the USCIS.

However, of the FN is in the US and plans to remain here while the case is processed, then a petition to the USCIS is required. This is a lengthier and, for the sponsoring department, a more costly option. It is for this reason that we recommend travel to Australia and re-entering if the FN is currently in the US in E-3 or any other non-immigrant status.

**Eligibility Criteria**

To qualify for an E-3 visa, the FN must demonstrate that they:

- Are a national of Australia
- Have a legitimate offer of employment in the United States
- Posses the necessary academic or other qualifying credentials
- Will fill a position that qualifies as a specialty occupation

**Sponsoring an Australian citizen for E-3 status**

If the FN will be:

● **Applying for an E-3 visa in Australia:**

1. Submit a complete E-3 application along with a copy of the Letter of Support\* and other required supporting documents and transmittal fees to Rutgers Global - International Student & Scholar Services (ISSS), using the recommended dates of submission chart as a guide;
2. ISSS will process the request and, once the Labor Condition Application (LCA) is certified by the US Department of Labor, we will forward a copy to the sponsoring department;
3. The sponsoring department the sends the certified LCA and the original letter of support to the FN;
4. The FN uses the LCA and letter, along with a valid passport, DS-160 visa application confirmation page with the application ID number on it, and their educational credentials to apply for an E-3 visa at a U.S. consulate of embassy in Australia.
5. FN enters the U.S. to begin employment

**Applying for an E-3 status from within the United States:**

The form I-129, Petition for Nonimmigrant Worker, submitted by ISSS to the United States Citizen & Immigration Services (USCIS), is required to apply for an E-3 extension, E-3 transfer or change os status to E-3 nonimmigrant temporary worker classification. *Please note that there are fees payable by check tot he USCIS associated with the submission of an I-129 petition.*

1. Submit a complete E-3 application along with a copy of the Letter of Support\* and other required supporting documents and transmittal fees and checks payable to the USCIS to Rutgers Global - International Student & Scholar Services (ISSS), using the recommended dates of submission chart as a guide;
2. ISSS will process the request and, once the I-797A Approval Notice is received from the USCIS, we will forward an approval packet to the FN in care of the sponsoring department, with a cover letter containing instructions.

## **Period of Stay/Extension of Stay**

### **Initial Period of Stay-**

2 years

### **Extension of Stay-**

Up to 2 years per extension; no maximum number of extension, with some exceptions

## **Family of E-3 Visa Holders**

The spouse and unmarried children under 21 years of age are entitled to the same E-3 classification. In addition, an E-3 spouse is entitled to work authorization, but not your children. To apply for work authorization as a spouse of an E-3 nonimmigrant, the spouse would file a form I-765, Application for Employment Authorization.

## SUPPORTING DOCUMENTATION CHECKLIST

**Part I.** The following documents **must be submitted** for **EVERY** application for E-3 sponsorship:

- HR paperwork confirming creation or availability of position
- Copy of preliminary offer letter to the applicant from Human Resources or Faculty Affairs
- Letter of support to USCIS from the sponsoring department. This letter should include the beneficiary's title, salary, proposed dates of employment, duties to be performed and qualifications to perform the job.
- Copy of the **official** job description from Human Resources or Faculty Affairs, as appropriate.
- Copy of the bio-data page from the applicant's passport (must be valid for at least 6 months beyond the requested start date of employment)
- Copy of the applicant's highest earned degree, pertinent professional certificates, and/or licenses (with official English translation)
- Copy of official evaluation of the applicant's highest earned degree, if earned outside the U.S., from an accredited agency. For a list of agencies go to: <http://www.naces.org/members.htm>
- Copy of corresponding transcript including all courses taken toward the degree. Must be signed and dated by the person in charge of records.
- Applicant's current resume/CV
- Copies of the applicant's previously issued immigration-related documents, as applicable

**Part II.** If application is for **change of status**, you must submit the following in addition to the documents listed in Part 1:

- Copy of applicant's current I-94 card (arrival/departure document)
- Copy of the most recent visa sticker

**Part III.** If application is for an **extension**, you must submit the following, in addition to documents listed in Part 1:

- If this is a Faculty position, a copy of the re-appointment letter
- Copy of the most recent visa sticker
- Copy of the applicant's most current I-94 card
- Copies of the applicant's three most recent pay stubs

**Part IV.** If application is for a **transfer** from another employer to RBHS you must submit the following, in addition to documents listed in Part 1:

- Copies of all previously issued E-3 approval notices (I-797 from the USCIS)
- Copies of 3 most recent paystubs
- Copy of the most recent visa sticker
- Copy of the applicant's most current I-94 card

**Part V.** If this application is **non-consular** and includes **DEPENDENTS** you must submit the following documentation:

- Form **I-539** completed by the **dependent, NOT** the employee. This form can be downloaded from the ISSS web site
- Photocopy of the bio-data page from the dependent's passport (Do not include dependents who are US Citizens)
- Photocopy of dependent's current I-94 card (arrival/departure document), DS-2019/I-20 and any other immigration-related document
- Proof of relationship (i.e., marriage certificate, birth certificate, adoption documents)

**FEE STRUCTURE:** For all petitions that are **NON-CONUSULAR**, the following fees, payable by separate checks to the **US Dept. of Homeland Security** are required to accompany the application submission:

- |   |       |
|---|-------|
| <input type="checkbox"/> I-129 application fee (Initial E-3, extensions, transfer of the E-3 status from another institution, or change of status to E-3) | \$460 |
| <input type="checkbox"/> Fraud detection and prevention fee (only for new employees and changes of status to E-3)   | \$500 |
| <input type="checkbox"/> I-539 for dependents (payable by the employee)   | \$370 |

**INTERNATIONAL SERVICES FEES:** Please refer to the transmittal form on our website:  
<http://rbhs.rutgers.edu/internationalservices/e-3/E-3%20Application%20Fee%20Processing%20Form%20Rev12-10-18.pdf>

**FAILURE TO SUBMIT ALL OF THE REQUESTED DOCUMENTATION WILL RESULT IN THE DELAY OF YOUR REQUEST.**

**USCIS Address: (regular or premium processing)**

USCIS, California Service Center, ATTN: CAP EXEMPT H-1B Processing Unit,  
24000 Avila Road, Room 2312, Laguna Niguel, CA 92677

# Rutgers Biomedical and Health Sciences E3 (Temporary Worker) Request

This form must be submitted to International Services for all E3 requests. The sponsoring department (not the applicant) must complete ALL sections of this form. Please type or print clearly.

This is an application for (check all that apply):

- Consular E3 approval (to be issued while abroad)
- Change of status to E3 (in the U.S. under a different non-immigrant status)       Extension of current E3 status at RBHS without change
- Change in previously approved E3 employment       Transfer of the E3 status from another institution

## PART A. Exchange Visitor's Personal Data

(1)  Male    Female       Single    Married      Date of Birth (mm/dd/yyyy)

Family name       First name       Middle name

All Other Names Used

(2) Place of birth (Province, Prefecture, Township, District, etc. may be used where local custom or regulation requires.)

Province/City       Country

Country of legal permanent residence       Country of citizenship

Passport #       Date passport was issued       Passport expiration date

(3) Permanent address abroad:

Street name and number       Apt. number

Province       City       Postal Code       Country

(4) Telephone numbers abroad

Home       Work       e-mail address

(5) If applicant is not currently in the U.S. indicate the location of the American consulate or Port of Entry at which the individual will apply for the E3.

Province/City       Country

Anticipated date of arrival:

(6) If applicant is currently in the U.S.:

Date of last entry into the U.S.       I-94 card #

Current non-immigrant status:

F-1/F-2    J-1/J-2    H-1/H-4    E3    Other (specify)       Expiration date of status

Student & Exchange Visitor Information System (SEVIS) Number, if any:      N

Employee Authorization Document (EAD) Number, if any

**Does the applicant plan to travel outside the U.S. within the next 4 months?**  No  Yes

If yes, please indicate dates: from  to

**(7) Current U.S. address and telephone numbers**

Street name and number  Apt. number

City  State  Zip Code

Home Phone Number  Work Phone Number

E mail address

**(8) Firm or institution where currently or previously employed/enrolled in the United States (if applicable):**

Firm/Institution  From  to

Address of firm or institution:

Street name and number  Phone Number

City  State  Zip Code

**(9) Highest academic degree earned:**  Bachelor's  Master's  PhD  MD  Other (specify)

Major field of study

**(10) Has the applicant earned a Master's or higher degree from a U.S. institution of higher education?**  No  Yes

If yes, name of the U.S. institution of higher education

Address of U.S. institution of higher education

Date degree was awarded:

**(11) Prior Immigration History:**

List any periods spent in the E3 classification:

Has the applicant ever been denied E3 status?  No  Yes Explain:

Has the applicant ever held J-1 status?  No  Yes If yes, provide copy of IAP-66/DS-2019

Has a petition for Permanent Residence ever been filed on behalf of the applicant?  No  Yes

If yes, please explain on a separate piece of paper and attach a copy of the receipt notice from USCIS

Has a Labor Certification (in relation to a permanent residence application) ever been filed on behalf of the applicant?  No  Yes

**PART B. Dependent's Information**

(Please note that if dependents are currently in the U.S. and need to extend or be granted E-3D status, the form I-539 must be completed by the dependent, not the prospective employee. Contact International Services for further instructions).

**Dependent #1**

Male  Female

Family name  Given name  Middle name

Date of birth (mm/dd/yyyy)  Place of birth (City/Country)

Country of legal permanent residence  Country of citizenship

Relationship to the prospective employee:  Spouse  Son  Daughter  Other (specify)

Date of arrival in the U.S. under the E-3D status

**Dependent #2**

Male  Female

Family name  Given name  Middle name

Date of birth (mm/dd/yyyy)  Place of birth (City/Country)

Country of legal permanent residence  Country of citizenship

Relationship to the prospective employee:  Spouse  Son  Daughter  Other (specify)

Date of arrival in the U.S. under the E-3D status

**Dependent #3**

Male  Female

Family name  Given name  Middle name

Date of birth (mm/dd/yyyy)  Place of birth (City/Country)

Country of legal permanent residence  Country of citizenship

Relationship to the prospective employee:  Spouse  Son  Daughter  Other (specify)

Date of arrival in the U.S. under the E-3D status

**Attach additional page for other family members, if necessary**

**PART C. Administrative Data**

(1) RBHS Campus:  Newark  Piscataway/New Brunswick

Title to be held by the beneficiary at RBHS\*

\*Position title must be officially recognized and approved by Human Resources

Address where the beneficiary will work:

Location #1   
Street# Room# City State County Zip Code

Location #2   
Street# Room# City State County Zip Code

Department  School

(2) Requested dates of E-3 sponsorship: \*from  to

\*E-3 status is granted in 2 year increments. Sponsoring department may request maximum of 2 year at a time.

Base salary offered \$   per hour  per year # hours per week  FTE %

Faculty practice \$  Patient care services \$  Other \$

Provide a brief description of the proposed job duties:

Degree required for this position:  Bachelor's  Master's  Ph.D.  Other (specify)

Years of experience required for this position:  years  months

**(3) Off-Site Assignment of E-3 Beneficiaries**

- No  Yes a. The beneficiary of this petition will be assigned to work at an off-site location for all or part of the period for which E-3 classification sought.
- No  Yes b. Placement of the beneficiary off-site during the period of employment will comply with the statutory and regulatory requirements of the E-3 nonimmigrant classification.
- No  Yes c. The beneficiary will be paid the higher of the prevailing or actual wage at any and all off-site locations.

***If employment will take place at more than one location, you must provide an itinerary.***

Name of person completing this form  Title

Interoffice mailing address

E-mail address  Telephone #

D. Mailing method:

GL String # to Charge UPS shipment  
GL String   
Department Contact

**PART D. Approvals**

**(1) SUPERVISOR (The supervisor must be a RBHS employee.) By signing this form the hiring department agrees to pay the reasonable travel expenses for return to the beneficiary's last country of legal residence if he/she is dismissed from the position prior to the expiration date of the E-3 approval.**

Printed name  Signature

Title  Department

Phone number  E-mail address  Date

**(2) DEPARTMENT CHAIR/DIRECTOR**

Printed name  Signature

Title  Department

Phone number  E-mail address  Date

**(3) SCHOOL DEAN OR DESIGNEE**

Printed name  Signature

Title  Department

Phone number  E-mail address  Date

**Please return the completed form and all supporting documents to the:  
Rutgers Biomedical and Health Sciences International Services  
65 Bergen Street, Room GA-72 (SSB/GA-72)  
Newark, NJ 07107**