

Creating a Public Inspection File: Start Now

The hiring department needs to create and maintain a Public Inspection File for each H-1B employee. This is required by the US Department of Labor. The materials required for the Public Inspection File may be included with the employee's other personnel records or kept as a separate file, but *must* be available for public inspection. Some departments prefer to keep the documents separate from the employees other records, which may be confidential. The file should be kept a minimum of one year beyond the last date on which the H-1 employee was employed under the Labor Condition Application.

Please note, the file may be set up now with the first two checklist items. Subsequent items will be generated by OISS over the course of the H-1 processing period and provided to the Department.

Checklist for Public Inspection File:

- Copy of H-1B Position Data Sheet
- Copy of UCSB Department Salary and Benefits Letter (include BELI)
- Copy of Certified Prevailing Wage Determination
(provided by OISS approximately 45-60 days after receiving H-1B materials for processing)
- Notice of Intent to File a Labor Condition Application Form
(provided by OISS approximately 45-60 days after receiving H-1B materials for processing)
- Labor Condition Application (ETA 9035)
(provided by OISS approximately 90 days after receiving H-1B materials for processing)