

Actual Wage Rate

The U.S. Department of Labor (DOL) requires that wages paid to international workers do not depress or jeopardize the wages of U.S. workers. Therefore, the H-1B employee cannot be the least paid compared to others with similar years of experience and qualifications without a valid explanation. Before completing this form, please read the previous page.

Completing this form:

1. Write your H-1B’s name on line 1
2. Look up the HR pay band (hr.osu.edu/comp), print the page containing the band information and submit with this form. Fill in the HR pay band minimum and maximum in the Range column. [If no pay band (‘00’) see step 6 for instructions on the Range column]
3. Run a report of all current employees in your department with the H-1B employee’s job classification. If there are no other people in the department with the same job classification, broaden the search to the college. If there is no one else at the college level, just use the H-1B’s information on this form. Note: You do not need to submit this to us; it’s a tool (see steps 4-5).
4. Cross off your H-1B’s name on the report you ran (if H-1B is currently employed in that classification)
5. Identify the lowest and highest salaries on the list. Write the name and related information for the lowest paid employee on line 2 and for the highest paid employee on line 3 of the Actual Wage Form.
6. If there is no pay band (‘00’), use the highest and lowest salaries to create the range. Insert into ‘Range’ column.
7. Ensure that your department has a written compensation system as described at the bottom of this page.
8. For job classifications with pay band ‘00,’ if your employee is being paid less than the least paid employee, attach a memo indicating the Department of Labor-justifiable reason (defined below).

Name (List H-1B first)	Job Classification	Required Degree	HR Pay Range for Job Classification	Hours Per Week	Annual Salary
Sample Sample	Research Assoc. 1-Eng	Master’s	\$34,216.00 - \$54,745.60	40	\$43,000

I certify that the salaries listed above reflect the **wage range** paid to **all** employees with the same job classification in this department (or college, if applicable). I am able to give reasons* acceptable to DOL for significant differences in the wage rate and can provide documentation to support this.

- *When citing differences, reasons **may** include (but need elaboration): 1) experience, 2) qualifications, 3) education, 4) job responsibilities/function, 5) specialized knowledge.

- Reasons may **not** include: 1) funded by a different grant, 2) different area of research, 3) insufficient/uncertain funding, 4) other factors that DOL would **not** consider reasonable.
- **The department must retain and be able to provide written documentation to DOL with a complete explanation of the system used to set the actual wage rate for all employees in the job classification.**

Departmental Authorized Signature: _____

Print Name: _____

Title: _____ Date: _____