

## **PREVAILING WAGE DETERMINATIONS**

For our office to file an H1b/E3 petition, the department must pay the scholar at least the prevailing wage for that particular position. Prevailing wages are obtained through surveys conducted by the Department of Labor for various positions and are averaged out.

We use the Prevailing Wage Determinations (PWD) obtained from the Denver SWA (State Workforce Agency). The SWA will have 4 levels of prevailing wages for each position, depending on the minimum requirements and experience required for a particular position. The more education/experience a position requires, the higher the prevailing wage determination will be. The prevailing wages may differ depending on the geographic location where the work will be performed. Once we have the Department's Memo requesting ISSS to file for an H1b or E3 for a scholar, we will use the information in the memo to request a prevailing wage determination from the Denver SWA. These requests will sometimes take about 2 months or more to obtain.

Please allow sufficient time for us to obtain a PWD for your position; we need to have this information before we can even begin the filing of an H or E3 petition.

NOTE: It sometimes happens that the prevailing wage determination will come back at a higher rate than what the Department was planning to pay the scholar. If the Department is unable to raise the salary of the scholar to that of the prevailing wage determination, we will not be able to file an H petition for that scholar.

Departments are advised to contact ISSS as soon as they know they have an international employee they would like to have H1 or E3 status. ISSS will need lead time to get the prevailing wage determination, etc. Please plan accordingly, and get us documentation earlier than later.