

ACTUAL WAGE MEMORANDUM

See page 2 for instructions on how to complete this form

1. Name of H-1B Employee:
2. Job Title: Hiring Unit:
3. Staff Fellow
Faculty¹ Other, i.e.,:
4. Number of all employees in the hiring unit in same job title (excl. the H-1B employee):
5. Please indicate which of the following factors are used in the unit to determine whether employees in the same job title are similarly qualified:

Faculty ¹ and Fellows	
☐	highest degree
☐	time since degree
☐	total years of experience
☐	time in rank
☐	first faculty appointment
☐	# of publications
☐	# of recent publications
☐	subspecialty
☐	amount of received award funding
☐	grant guidelines, e.g. NIH guidelines
☐	special duties ² :
☐	Other ² :

Staff and Other - as determined by HR	
☐	education
☐	experience
☐	qualifications
☐	job responsibility and function
☐	specialized knowledge
☐	all of the above

Additional comments:

6. Number of employees in same job title who are similarly qualified (excl. the H-1B employee):
7. Wage range for similarly qualified individuals listed in question #6 (excl. the H-1B employee):
\$ to \$ per year/ hour (required for part-time positions).³
8. Wage rate to be paid to the H-1B employee: \$

Form completed by:

Name: Title:

Signature: Date:

¹ Including Research Faculty, Clinical Faculty, and Teaching Faculty

² Attach separate document, if needed

³ All part-time positions must be expressed as an hourly rate. To establish the hourly rate, use the FTE and divide by 2,080

ACTUAL WAGE MEMORANDUM INSTRUCTIONS

Use these instructions to complete page 1

The required minimum wage rate for employees in H-1B, H-1B1 or E-3 status is in part dependent on the “actual wage.” The actual wage is based on internal wage data (i.e., the wages of those individuals who are considered to be similarly employed **and** similarly qualified at the University of Colorado Denver | Anschutz).

For H-1B, H-1B1 or E-3 purposes, when determining which employee or group of employees is similarly qualified, by regulation, **the following factors may be considered**: experience, qualifications, education, job responsibility and function, specialized knowledge, and other “legitimate business factors.”

The hiring department must document the actual wage rate to establish that it will not pay the individual in H-1B, H-1B1 or E-3 status less than other employees with similar duties who are similarly qualified (and proportionally more than their less-qualified peers). The wages of individuals who are *more* qualified need not be considered; it is understood that they are often compensated at a higher level.

NOTE: If there are no individuals in the same position who are similarly qualified, the wage offered to the individual in H-1B, H-1B1 or E-3 status will be deemed the actual wage.

Actual Wage Determination form questions

- Q#4 Indicate the number of employees in the same job title/ classification. Do *not* include the H-1B/H-1B1/E-3 employee who is the subject of this memo.
- Q#5 Mark all the relevant factors that are considered in determining the wage for the H-1B/H-1B1/E-3 employee who is the subject of this memo and for employees who are similarly qualified.
- Q#6 Of the number of employees in the same job title/ classification as listed in Q#4, indicate how many are considered similarly qualified (based on the factors selected in Q#5)
- Q#7 Reflect the wage range for the group of similarly qualified employees, as listed in Q#6. If there are no similarly qualified employees, leave blank. *If the resulting wage range is very wide, this may be an indication that the group of employees is not truly similarly qualified and should be narrowed further.*
- Q#8 Indicate the wage offered to the H-1B/H-1B1/E-3 employee who is the subject of this memo. If there are no similarly qualified employees, the wage offered to the H-1B employee who is the subject of this memo is deemed to be the actual wage.