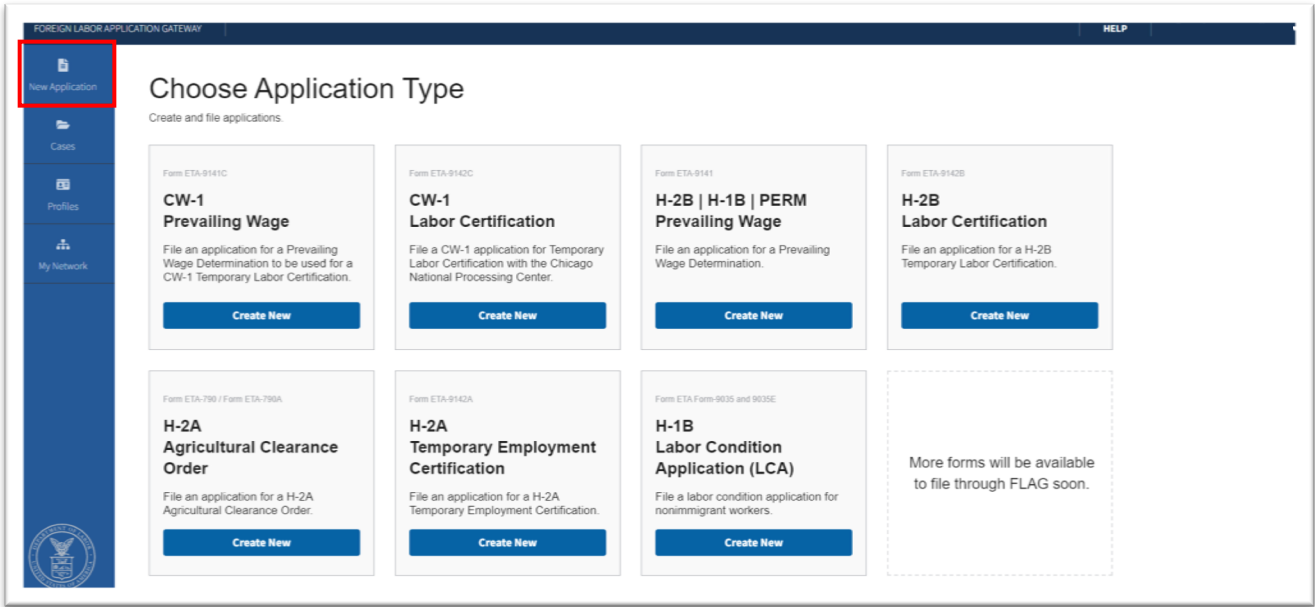




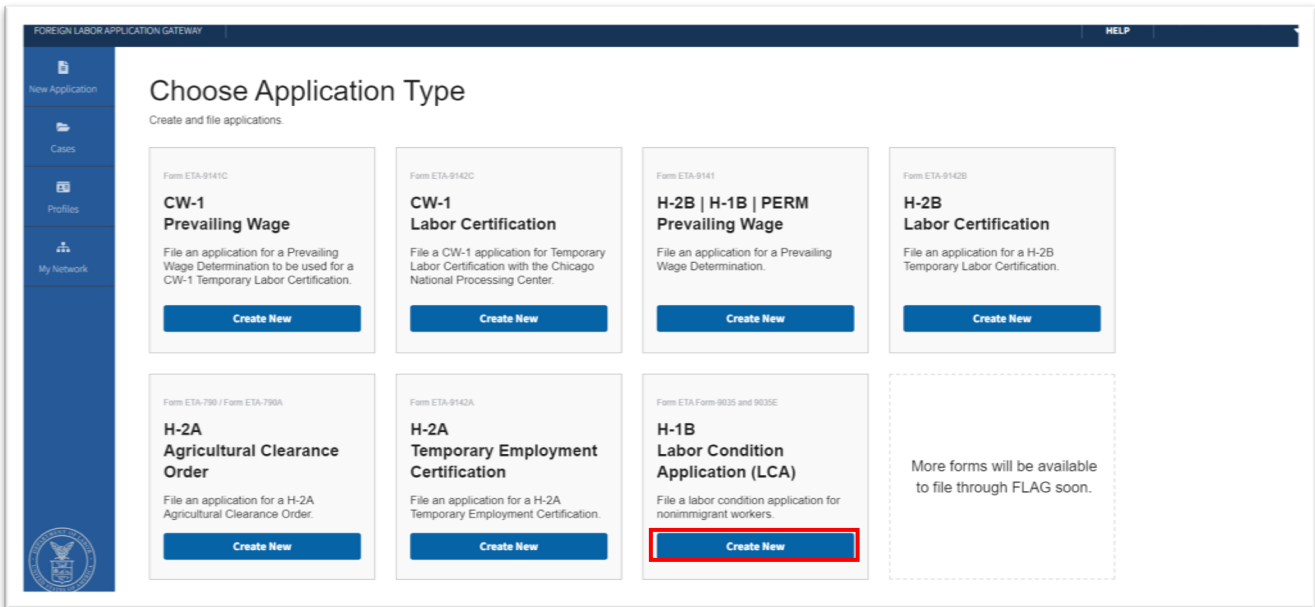
\*FLAG has been optimized to work with Google Chrome, Safari, and Mozilla Firefox.

### HOW TO SUBMIT AN ETA-9035/9035E APPLICATION IN FLAG.DOL.GOV

1. Ensure that you have created an account using Login.gov. Please use your Login.gov credentials to access <https://flag.dol.gov>.
2. Once logged in, the “New Application” tab will automatically launch. The “New Application” tab is used to begin the application process.



3. Select “Create New” under “H-1B Labor Condition Application (LCA)” to begin filling out an ETA-9035/9035E application.





- 4. Under "Employment-Based Nonimmigrant Visa Information," indicate the type of visa classification supported by this application. Select "H-1B," "H-1B1 Chile," "H-1B1 Singapore," or "E-3 Australia," and click "Continue."

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

**A Employment-Based Nonimmigrant Visa Information**

B Temporary Need Information

C Employer Information

D Employer Point of Contact Information

E Attorney or Agent Information (if applicable)

F Employment and Wage Information

G Employer Labor Condition Statements

### Employment-Based Nonimmigrant Visa Information

Please read and review the filing instructions carefully before completing the Form ETA-9035 or 9035E. A copy of the instructions can be found at <http://www.foreignlaborcert.doleta.gov/>. In accordance with Federal Regulations at 20 CFR 655.730(b), incomplete or obviously inaccurate Labor Condition Applications (LCAs) will not be certified by the Department of Labor (DOL). For all submissions, both electronic (Form ETA-9035E) or paper (Form ETA-9035) where the employer has notified DOL that it will submit this form non-electronically due to a disability or received permission from DOL to file non-electronically due to lack of Internet access, ALL required fields/items containing an asterisk (\*) must be completed.

A.1. Indicate the type of visa classification supported by this application \* ?

H-1B

H-1B1 Chile

H-1B1 Singapore

E-3 Australian

- 5. Under "Temporary Need Information," complete the required fields.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

Employment-Based Nonimmigrant Visa Information

**B Temporary Need Information**

C Employer Information

D Employer Point of Contact Information

E Attorney or Agent Information (if applicable)

F Employment and Wage Information

G Employer Labor Condition Statements

H H-1B Additional Employer Labor Condition Statements

### Temporary Need Information

B.1. Job Title \* ?

B.2/B.3. SOC (ONET/OES) Code and Occupation Title \* ?

B.4. Is this a full-time position? \* ?

Yes

No

B.5. Begin Date \* ?

B.6. End Date \* ?

B.7. Total Worker Positions Being Requested for Certification \* ?



6. Click "Continue."

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- B Temporary Need Information**
- C Employer Information
- D Employer Point of Contact Information
- E Attorney or Agent Information (if applicable)
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

B.7a-f. Basis for the visa classification supported by this application  
(indicate total workers in each applicable category)

- a. New Employment \*
- b. Continuation of previously approved employment without change with the same employer \*
- c. Change in previously approved employment \*
- d. New concurrent employment \*
- e. Change in employer \*
- f. Amended petition \*

7. Under "Employer Information," complete the required fields.

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- ✓ Temporary Need Information
- C Employer Information**
- D Employer Point of Contact Information
- E Attorney or Agent Information (if applicable)
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

### Employer Information

C.1. Legal Business Name \*

C.2. Trade Name / Doing Business As (DBA), if applicable

C.12. Federal Employer Identification Number (FEIN from IRS) \*

C.13. NAICS Code \*

C.3. Address 1 \*

C.4. Address 2 (apartment/suite/floor and number)

C.8. Country \*



8. Depending on your selection in Field C.8, Fields C.5 – C.7 will become required fields. Click “Continue.”

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- ✓ Temporary Need Information
- C Employer Information**
- D Employer Point of Contact Information
- E Attorney or Agent Information (if applicable)
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

C.8. Country \* ⓘ  
- Select -

C.5. City \* ⓘ  
[Text Field]

C.6. State \* ⓘ  
- Select -

C.7. Postal Code \* ⓘ  
[Text Field]

C.10. Telephone Number \* ⓘ  
[Country Flag] [Text Field]

C.11. Extension ⓘ  
[Text Field]

Save & Quit      Back      **Continue**

9. Under “Employer Point of Contact Information,” complete the required fields.

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- ✓ Temporary Need Information
- ✓ Employer Information
- D Employer Point of Contact Information**
- E Attorney or Agent Information (if applicable)
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

**Employment Point of Contact Information** ⓘ

*The information contained in this Section must be that of an employee of the employer who is authorized to act on behalf of the employer in labor certification matters. The information in this Section must be different from the agent or attorney information listed in Section E, unless the attorney is an employee of the employer.*

**Employer Name(s)**

D.1. Contact's Last (family) Name \* ⓘ  
[Text Field]

D.2. First (given) Name \* ⓘ  
[Text Field]

D.3. Middle name(s) ⓘ  
[Text Field]

D.4. Contact's Job Title \* ⓘ  
[Text Field]

D.5. Address 1 \* ⓘ  
[Text Field]





10. Click “Continue.”

The screenshot shows the 'Employer Point of Contact Information' section of the Labor Condition Application form. The left sidebar contains a progress indicator with steps A through H. Step D is currently selected and highlighted in blue. The main content area contains the following fields:

- A dropdown menu for 'City' with the value '- Select -'.
- A text input field for 'City'.
- A dropdown menu for 'State' with the value '- Select -'.
- A text input field for 'Postal Code'.
- A text input field for 'Telephone Number'.
- A dropdown menu for 'Country' with the value 'United States'.
- A text input field for 'Extension'.
- A text input field for 'Business e-mail address'.

At the bottom of the form, there are three buttons: 'Save & Quit', 'Back', and 'Continue'. The 'Continue' button is highlighted with a red border.

11. Under “Attorney or Agent Information (if applicable),” complete the required fields. If this section is not applicable, select “None” and click “Continue.”

The screenshot shows the 'Attorney or Agent Information (if applicable)' section of the Labor Condition Application form. The left sidebar contains a progress indicator with steps A through H. Step E is currently selected and highlighted in blue. The main content area contains the following elements:

- A title bar: 'Attorney or Agent Information (if applicable)' with a close button (X) on the right.
- A text box containing the instruction: 'The employer authorizes the attorney or agent identified in this section to act on its behalf in connection with the filing of this application.'
- A question: 'E.1. Is the employer represented by an attorney or agent in the filing of this application?' with a help icon.
- Three radio button options: 'Attorney', 'Agent', and 'None'.

At the bottom of the form, there are three buttons: 'Save & Quit', 'Back', and 'Continue'. The 'Continue' button is highlighted with a red border.



12. Depending if "Attorney" or "Agent" is selected, Fields E.2 – E.19 will become required fields.

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- E Attorney or Agent Information (if applicable)**
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

### Attorney or Agent Information (if applicable)

*The employer authorizes the attorney or agent identified in this section to act on its behalf in connection with the filing of this application.*

E.1. Is the employer represented by an attorney or agent in the filing of this application? <sup>?</sup>

Attorney  
 Agent  
 None

E.2. Attorney or Agent's Last (family) Name <sup>?</sup>

E.3. First (given) Name <sup>?</sup>

E.4. Middle Name(s) <sup>?</sup>

E.5. Address 1 <sup>?</sup>

13. Click "Continue."

Form ETA-9035 & 9035E  
Labor Condition Application for Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- E Attorney or Agent Information (if applicable)**
- F Employment and Wage Information
- G Employer Labor Condition Statements
- H H-1B Additional Employer Labor Condition Statements

E.14. Email Address <sup>?</sup>

E.15. Law Firm/Business Name <sup>?</sup>

E.16. Law Firm/Business FEIN <sup>?</sup>

E.17. State Bar Number <sup>?</sup>

E.18. State of highest state court where attorney is in good standing <sup>?</sup>

- Select - <sup>?</sup>

E.19. Name of highest state court where attorney is in good standing <sup>?</sup>



14. Under “Employment and Wage Information,” complete the required fields. *Note: Save your information before leaving this page. If you navigate from this page without clicking “Add Place of Employment” at the bottom of the screen, your changes will be lost.*

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

### Employment and Wage Information

The employer must define the intended place(s) of employment with as much geographic specificity as possible. Each intended place(s) of employer listed below must be the worksite or physical location where the work will actually be performed and cannot be a P.O. box. The employer must identify all intended places of employment, including those of short duration, on the LCA. 20 CFR655.730(c)(5).

**Save your information before leaving this page**  
If you navigate away from this page without clicking 'Add Place of Employment' your changes will be lost.

F.12-F.14. Identify the source user for the prevailing wage (PW) · ?

- A Prevailing Wage Determination (PWD) issued by the Department of Labor
- A PW obtained independently from the Occupational Employment Statistics (OES) program
- A PW obtained using another legitimate source (other than OES) or an independent authoritative source

F.1. Enter the estimated number of workers that will perform work at this place of employment under the LCA · ?

F.2. Indicate whether the worker(s) subject to this LCA will be placed with a secondary entity at this place of employment · ?

15. If “A Prevailing Wage Determination (PWD) issued by the Department of Labor” is selected, then Field F.12a will become required to provide a Prevailing Wage Determination (PWD) tracking number.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

### Employment and Wage Information

The employer must define the intended place(s) of employment with as much geographic specificity as possible. Each intended place(s) of employer listed below must be the worksite or physical location where the work will actually be performed and cannot be a P.O. box. The employer must identify all intended places of employment, including those of short duration, on the LCA. 20 CFR655.730(c)(5).

**Save your information before leaving this page**  
If you navigate away from this page without clicking 'Add Place of Employment' your changes will be lost.

F.12-F.14. Identify the source user for the prevailing wage (PW) · ?

- A Prevailing Wage Determination (PWD) issued by the Department of Labor
- A PW obtained independently from the Occupational Employment Statistics (OES) program
- A PW obtained using another legitimate source (other than OES) or an independent authoritative source

F.12a. Prevailing Wage Determination (PWD) tracking number · ?

F.1. Enter the estimated number of workers that will perform work at this place of employment under the LCA · ?



16. If “A PW obtained independently from the Occupational Employment Statistics (OES) program” or “A PW obtained using another legitimate source (other than OES) or an independent authoritative source” is selected, then you will need to provide the Wage Level and Source Year from the drop-down selector.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

**Save your information before leaving this page**  
If you navigate away from this page without clicking 'Add Place of Employment' your changes will be lost.

F.12-F.14. Identify the source user for the prevailing wage (PW) · ?

- A Prevailing Wage Determination (PWD) issued by the Department of Labor
- A PW obtained independently from the Occupational Employment Statistics (OES) program
- A PW obtained using another legitimate source (other than OES) or an independent authoritative source

F.13a. Wage Level · ?

- I
- II
- III
- IV
- N/A

F.13b. Source Year · ?

- Select -

F.1. Enter the estimated number of workers that will perform work at this place of employment under the LCA · ?

17. If “Yes” is selected for Field F.2, F.3 will become a required field.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- Employment-Based Nonimmigrant Visa Information
- Temporary Need Information
- Employer Information
- Employer Point of Contact Information
- Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

- Select -

F.1. Enter the estimated number of workers that will perform work at this place of employment under the LCA · ?

F.2. Indicate whether the worker(s) subject to this LCA will be placed with a secondary entity at this place of employment · ?

- Yes
- No

F.3. Legal Business name of secondary entity · ?

F.4. Address 1 · ?

F.5. Address 2 (apartment/suite/floor and number) · ?

F.6. City · ?



18. Depending on the selection in Field F.8, F.7 will become a required field.

The screenshot shows the 'Employment and Wage Information' section of the Labor Condition Application form. On the left is a navigation menu with steps: Employment-Based Nonimmigrant Visa Information, Temporary Need Information, Employer Information, Employer Point of Contact Information, Attorney or Agent Information (if applicable), **F. Employment and Wage Information**, Employer Labor Condition Statements, and H-1B Additional Employer Labor Condition Statements. The main form area contains the following fields:

- F.6. City: [Text input field]
- F.8. State/District/Territory: [Dropdown menu with '- Select -']
- F.7. County: [Dropdown menu with 'Type search term here'] - This field is highlighted with a red box.
- F.9. Postal Code: [Text input field]

Below these fields are two sections for minimum wages:

- State Minimum Wage**: Please select a state in F.8 and a per value in F.10a to view the minimum wage.
- Federal Minimum Wage**: Please select a state in F.8 and a per value in F.10a to view the minimum wage.

19. Depending on the Wage Rate Paid to Nonimmigrant Workers entered in F.10 and F.10a, grey boxes above Field F.10 will appear with the State and Federal Minimum Wages.

This screenshot shows the same form as above, but with the minimum wage information populated. The 'State Minimum Wage' and 'Federal Minimum Wage' sections are highlighted with red boxes:

- State Minimum Wage**: The state minimum wage ( per hour ) for VIRGINIA is \$7.25
- Federal Minimum Wage**: The federal minimum wage ( per hour ) \$7.25

Below these are the wage rate fields:

- F.10. Wage Rate Paid to Nonimmigrant Workers: [Section header]
- From: [Text input field with '\$8.00']
- To: [Text input field with '\$15.00']
- F.10a. Per: [Radio buttons for Hour (selected), Week, Bi-Weekly]



20. Once all fields have been entered, click “Add Place of Employment” in the bottom left-hand corner of the page. Otherwise, the data will not save.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- ✓ Temporary Need Information
- ✓ Employer Information
- ✓ Employer Point of Contact Information
- ✓ Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

Bi-Weekly  
 Month  
 Year

F.11. Prevailing Wage Rate \* ⓘ  
\$100.00

F.11a. Per \* ⓘ  
 Hour  
 Week  
 Bi-Weekly  
 Month  
 Year

**0 Place(s) of Employment**

ⓘ Use the fields above to enter the details of each additional place of employment, when applicable

**Add Place of Employment** Clear Form

Save & Quit Back Continue

21. If there are additional Places of Employment, the form will reset for new data to be entered. The previous Place of Employment will populate in the Place(s) of Employment Table. After each additional Place of Employment is filled out, click “Add Place of Employment.” Repeat this step (as needed). Click “Continue.”

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

- ✓ Employment-Based Nonimmigrant Visa Information
- ✓ Temporary Need Information
- ✓ Employer Information
- ✓ Employer Point of Contact Information
- ✓ Attorney or Agent Information (if applicable)
- F. Employment and Wage Information**
- G. Employer Labor Condition Statements
- H. H-1B Additional Employer Labor Condition Statements

Hour  
 Week  
 Bi-Weekly  
 Month  
 Year

F.11. Prevailing Wage Rate \* ⓘ  
\$nnnnnnnnn.nn

F.11a. Per \* ⓘ  
 Hour  
 Week  
 Bi-Weekly  
 Month  
 Year

**1 Place(s) of Employment**

ⓘ Use the fields above to enter the details of each additional place of employment, when applicable

ⓘ Please fill out all required fields (\* )

Total Worker(s)	Address	Wage Rate	Actions
6	5678 Darla Ave	\$8.00 - \$15.00 per Hour	***

Add Place of Employment Clear Form

Save & Quit Back **Continue**



## 22. Under “Employer Labor Condition Statements,” read the Employer Labor Condition Statements.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

Employment-Based Nonimmigrant Visa Information

Temporary Need Information

Employer Information

Employer Point of Contact Information

Attorney or Agent Information (if applicable)

Employment and Wage Information

**G Employer Labor Condition Statements**

H-1B Additional Employer Labor Condition Statements

### Employer Labor Condition Statements

In order for your application to be processed, you **MUST** read Section G of the Form ETA-9035CP - General Instructions for the 9035 & 9035E under the heading "Employer Labor Condition Statements" and agree to all four (4) labor condition statements summarized below:

- Wages:** The employer shall pay nonimmigrant workers at least the prevailing wage or the employer's actual wage, whichever is higher, and pay for non-productive time. The employer shall offer nonimmigrant workers benefits and eligibility for benefits provided as compensation for services on the same basis as the employer offers to U.S. workers. The employer shall not make deductions to recoup a business expense(s) of the employer including attorney fees and other costs connected to the performance of H-1B, H-1B1, or E-3 program functions which are required to be performed by the employer. This includes expenses related to the preparation and filing of this LCA and related visa petition information. 20 CFR 655.731;
- Working Conditions:** The employer shall provide working conditions for nonimmigrants which will not adversely affect the working conditions of workers similarly employed. The employer's obligation regarding working conditions shall extend for the duration of the validity period of the certified LCA or the period during which the worker(s) working pursuant to this LCA is employed by the employer, whichever is longer. 20 CFR 655.732;
- Strike, Lockout, or Work Stoppage:** At the time of filing this LCA, the employer is not involved in a strike, lockout, or work stoppage in the course of a labor dispute in the occupational classification in the area(s) of intended employment. The employer will notify the Department of Labor within 3 days of the occurrence of a strike or lockout in the occupation, and in that event the LCA will not be used to support a petition filing with the U.S. Citizenship and Immigration Services (USCIS) until the DOL, Employment and Training Administration (ETA) determines that the strike or lockout has ended. 20 CFR 655.733;
- Notice:** Notice of the LCA filing was provided no more than 30 days before the filing of this LCA or will be provided on the day this LCA is filed to the bargaining representative in the occupation and area of intended employment, or if there is no bargaining representative, to workers in the occupation at the place(s) of employment either by electronic or physical posting. This notice was or will be posted for a total period of 10 days, except that if employees are provided individual direct notice by e-mail, notification need only be given once. A copy of the notice documentation will be maintained in the employer's public access file. A copy of this LCA will be provided to each nonimmigrant worker employed pursuant to the LCA. The employer shall, no later than the date the worker(s) report to work at the place(s) of employment, provide a signed copy of the certified LCA to the worker(s) working pursuant to this LCA. 20 CFR 655.734.

## 23. Acknowledge the Employer Labor Condition Statement by selecting Field G.1 and click “Continue.”

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

Employment-Based Nonimmigrant Visa Information

Temporary Need Information

Employer Information

Employer Point of Contact Information

Attorney or Agent Information (if applicable)

Employment and Wage Information

**G Employer Labor Condition Statements**

H-1B Additional Employer Labor Condition Statements

- Working Conditions:** The employer shall provide working conditions for nonimmigrants which will not adversely affect the working conditions of workers similarly employed. The employer's obligation regarding working conditions shall extend for the duration of the validity period of the certified LCA or the period during which the worker(s) working pursuant to this LCA is employed by the employer, whichever is longer. 20 CFR 655.732;
- Strike, Lockout, or Work Stoppage:** At the time of filing this LCA, the employer is not involved in a strike, lockout, or work stoppage in the course of a labor dispute in the occupational classification in the area(s) of intended employment. The employer will notify the Department of Labor within 3 days of the occurrence of a strike or lockout in the occupation, and in that event the LCA will not be used to support a petition filing with the U.S. Citizenship and Immigration Services (USCIS) until the DOL, Employment and Training Administration (ETA) determines that the strike or lockout has ended. 20 CFR 655.733;
- Notice:** Notice of the LCA filing was provided no more than 30 days before the filing of this LCA or will be provided on the day this LCA is filed to the bargaining representative in the occupation and area of intended employment, or if there is no bargaining representative, to workers in the occupation at the place(s) of employment either by electronic or physical posting. This notice was or will be posted for a total period of 10 days, except that if employees are provided individual direct notice by e-mail, notification need only be given once. A copy of the notice documentation will be maintained in the employer's public access file. A copy of this LCA will be provided to each nonimmigrant worker employed pursuant to the LCA. The employer shall, no later than the date the worker(s) report to work at the place(s) of employment, provide a signed copy of the certified LCA to the worker(s) working pursuant to this LCA. 20 CFR 655.734.

G.1 I have read and agree to Labor Condition Statements 1, 2, 3, and 4 above and as fully explained in Section G of the Form ETA-9035CP - General Instructions for the 9035 & 9035E and the Department's regulations at 20 CFR 655 Subpart H. \* (?)

Yes

No

Save & Quit      Back      Continue



24. Under “H-1B: Additional Employer Labor Condition Statements,” complete the required fields.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

Employment-Based Nonimmigrant Visa Information  
Temporary Need Information  
Employer Information  
Employer Point of Contact Information  
Attorney or Agent Information (if applicable)  
Employment and Wage Information  
Employer Labor Condition Statements  
H-1B Additional Employer Labor Condition Statements

### H-1B: Additional Employer Labor Condition Statements

In order for your H-1B application to be processed, you **MUST** read Section H - Subsection 1 of the Form ETA 9035CP - General Instructions for the 9035 & 9035E under the heading "Additional Employer Labor Condition Statements" and answer the questions below.

**Subsection 1**

H.1. At the time of filing this LCA, is the employer H-1B dependent?

Yes  
 No

H.2. At the time of filing this LCA, is the employer a willful violator?

Yes  
 No

Save & Quit Back Continue

25. If “Yes” is selected in Field H.1, Field H.3 will become a required field.

Form ETA-9035 & 9035E  
Labor Condition Application for  
Nonimmigrant Workers

Employment-Based Nonimmigrant Visa Information  
Temporary Need Information  
Employer Information  
Employer Point of Contact Information  
Attorney or Agent Information (if applicable)  
Employment and Wage Information  
Employer Labor Condition Statements  
H-1B Additional Employer Labor Condition Statements

### H-1B: Additional Employer Labor Condition Statements

In order for your H-1B application to be processed, you **MUST** read Section H - Subsection 1 of the Form ETA 9035CP - General Instructions for the 9035 & 9035E under the heading "Additional Employer Labor Condition Statements" and answer the questions below.

**Subsection 1**

H.1. At the time of filing this LCA, is the employer H-1B dependent?

Yes  
 No

H.2. At the time of filing this LCA, is the employer a willful violator?

Yes  
 No

H.3. Will the employer use this application **ONLY** to support H-1B petitions or extensions of status for exempt H-1B nonimmigrant workers?

Yes  
 No

Save & Quit Back Continue





26. If “Yes” is selected in Field H.3, Field H.4 will become a required field. Click “Continue.”

The screenshot shows a progress bar on the left with steps: Employer Information, Employer Point of Contact Information, Attorney or Agent Information (if applicable), Employment and Wage Information, Employer Labor Condition Statements, H-1B Additional Employer Labor Condition Statements (current step), Employer Obligations, LCA Preparer, and Appendix A - Educational Attainment Documentation. The main content area has two sections: H.3. Will the employer use this application ONLY to support H-1B petitions or extensions of status for exempt H-1B nonimmigrant workers? (Yes/No) and H.4. Identify the statutory basis for the exemption of the H-1B nonimmigrant workers associated with this LCA. (Options: \$50,000 or higher annual wage, Master's Degree or higher in related speciality, Both). A red box highlights the H.4 section and the 'Continue' button at the bottom right.

27. Under “Employer Obligations,” select one or both options listed as places that the Public Disclosure Information will be kept.

The screenshot shows the 'Employer Obligations' section. The progress bar on the left highlights 'Employer Obligations'. The main content area has two sections: 'Public Disclosure Information' with a note that one or both options must be selected, and 'Notice of Obligations' with three sub-sections (A, B, C) detailing employer requirements. A red box highlights the 'Continue' button at the bottom right.



28. Complete the required fields and click “Continue.”

C. The employer must make this LCA, supporting documentation, and other records available to officials of the Department of Labor upon request during any investigation under the immigration and Nationality Act (20 CFR 655.760 and 20 CFR Subpart I).

*I declare under penalty of perjury that I have read and reviewed this application and that to the best of my knowledge, the information contained therein is true and accurate. I understand that to knowingly furnish materially false information in the preparation of this form and any supplemental thereto or to aid, abet, or counsel another to do so is a federal offense punishable fines, imprisonment, or both (18 U.S.C 2, 1001,1546,1621).*

J.1. Last (family) name of hiring or designated official \*

J.2. First (given) name of hiring or designated official \*

J.3. Middle Initial

J.4. Hiring or designated official title \*

Save & Quit      Back      Continue

29. Under “LCA Preparer,” if the Preparer of this LCA is a person other than the one identified in either Section D (Employer Point of Contact) or Section E (Attorney or Agent) of this application, then complete the required Fields K.1 – K.5. If this does not apply to you, leave the fields blank, and click “Continue.”

### LCA Preparer

Complete this section if the preparer of this LCA is a person other than the one identified in either Section D (employer point of contact) or E (attorney or agent) of this application.

K.1. Last (family) Name

K.2. First (given) Name

K.3. Middle Initial

K.4. Firm/Business Name

K.5. Email Address

Save & Quit      Back      Continue



30. Depending on your selections in Section A – H, Appendix A- Educational Attainment Documentation may be required. Click “Continue.”

**Appendix A - Educational Attainment Documentation**

You must complete and attach Appendix A with documentation for any H-1B nonimmigrant worker where the statutory exemption for that worker will be based only on the Master's or higher degree exemption. If the employer will claim the exemption for more than five (5) workers with different educational attainment information, the employer must report as many additional sections of educational attainment information as are necessary to cover all "exempt" H-1B nonimmigrant workers employed under the LCA.

**Section Complete**  
Because you indicated this application is not related to H-1B Dependent or Willful Violator Employers - Master's Degree or Higher Exemptions ONLY (per sections A and H), no Appendix A is necessary for this application.


Save & Quit      Back      **Continue**

31. Under “Application Documents,” review the summary of the documents you have provided while filling out the 9035/9035E form. Click “Continue.”

**Application Documents**

Below, you will find a summary of the documents that you have uploaded to this application and their respective document categories below.

0 Uploaded Documents

Document Name	Document Type	Actions
 You have no documents. Additional documents will appear here.		



32. Under "Review & Submit," validate the summary of information. A light purple box with a drop-down selector allows you to quickly jump to different sections of the form.

33. Any invalid entries or incomplete required fields will be listed under the "Incomplete" section. Use the form stepper on the left-hand side to navigate back to any section if changes are necessary to make necessary revisions.



34. Once all the errors have been addressed, review the information again for accuracy. To expand a section, use the down arrow located on the right side of the section. Click “Submit.”

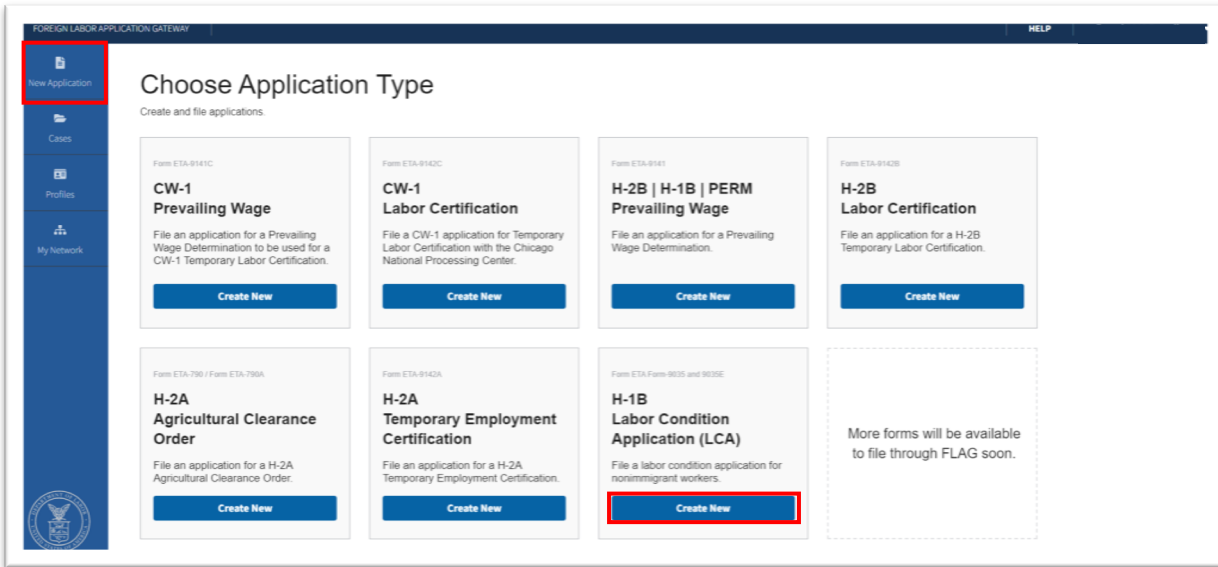
The screenshot shows the 'Employer Obligations' section of the FLAG.DOL.GOV application. On the left is a vertical sidebar with navigation icons and labels: 'Attorney or Agent Information (if applicable)', 'Employment and Wage Information', 'Employer Labor Condition Statements', 'H-1B Additional Employer Labor Condition Statements', 'Employer Obligations', 'LCA Preparer', 'Appendix A - Educational Attainment Documentation', 'Application Documents', and 'Review & Submit'. The main content area is titled 'I/J: Employer Obligations' and contains a dropdown arrow (highlighted in red) and a note: 'Public disclosure Information in the United States will be kept at: (You must select one or both of the options listed in this Section.) - Employer's principal place of business'. Below this are three input fields: 'Last (family) name of hiring or designated official' with the value 'Smith', 'First (given) name of hiring or designated official' with the value 'John', and 'Hiring or designated official title' with the value 'Attorney'. At the bottom of the form are three expandable sections: 'K: LCA Preparer', 'ADD A: Appendix A - Educational Attainment Documentation', and 'Application Documents'. At the very bottom are three buttons: 'Save & Quit', 'Back', and 'Submit' (highlighted in red).

35. Once submitted, users will be redirected to a “Success page” that confirms the submission of the Labor Condition Application (LCA) for Nonimmigrant Workers. *Note: The newly submitted case will retain its temporary/initiated case number until it is assigned a permanent case number, which can be viewed in the confirmation email. Users can also keep track of its status in the “Cases” Tab.* To return to FLAG, click “Return to Dashboard.”

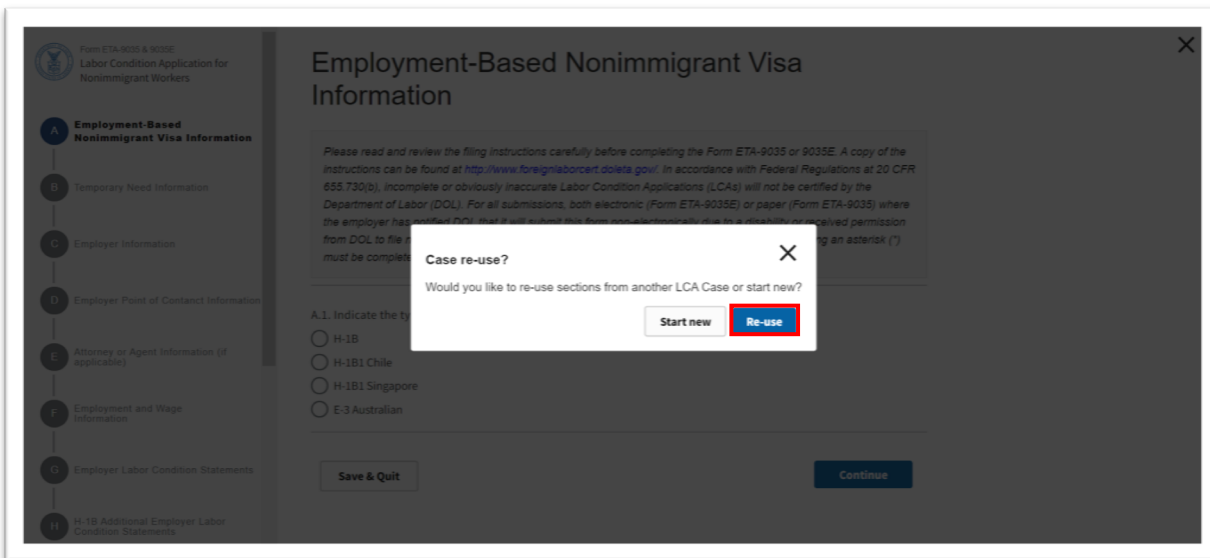
The screenshot shows the 'SUCCESS!' confirmation page on the FLAG.DOL.GOV website. The page has a dark blue header with 'FOREIGN LABOR APPLICATION GATEWAY' on the left and 'HELP' on the right. A vertical sidebar on the left contains navigation options: 'New Application', 'Cases', 'Profiles', and 'My Network'. The main content area features a large green checkmark and the word 'SUCCESS!' in bold green text. Below this is a message: 'Your Labor Condition Application for Nonimmigrant Workers application has been submitted. A confirmation email will be sent to you within 24 hours. The confirmation email will include a generated case number which you can track in My Cases> Submitted. If you do not receive a case number within 24 hours of application submission, please contact the FLAG Technical Help Desk.' The message is signed 'Thanks, Foreign Labor Application Gateway'. At the bottom of the message is a red button labeled 'Return to Dashboard'.



36. To fill out another application, click “New Application” under the “H-1B Labor Condition Application (LCA)” card.

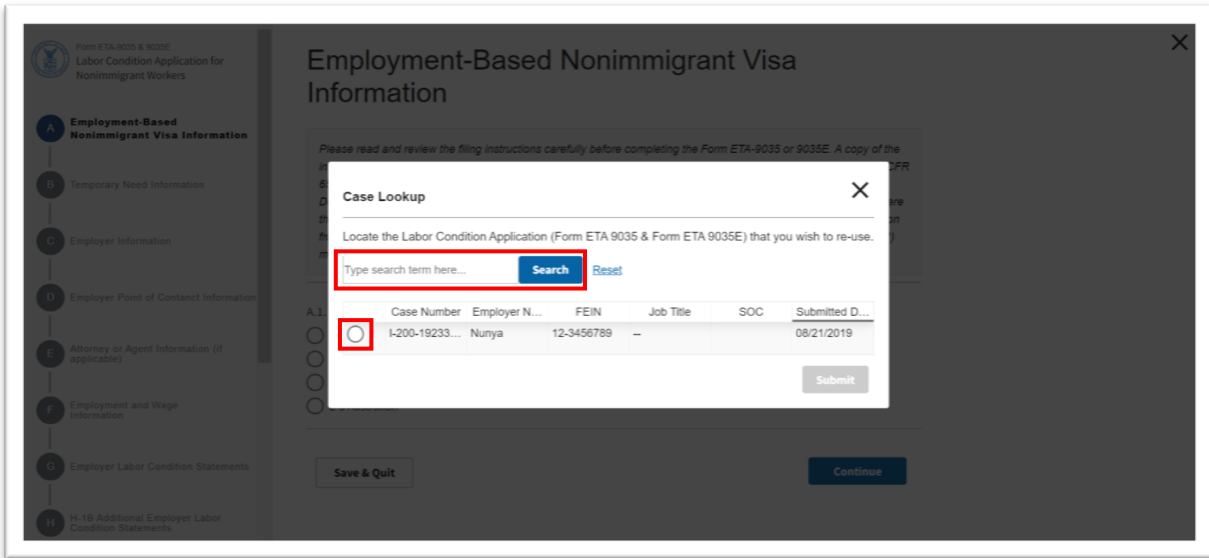


37. If users have previously completed a LCA case in FLAG, a prompt will appear asking to either “Re-use” a case or “Start New.” To utilize data from a previous case, click “Re-use.”

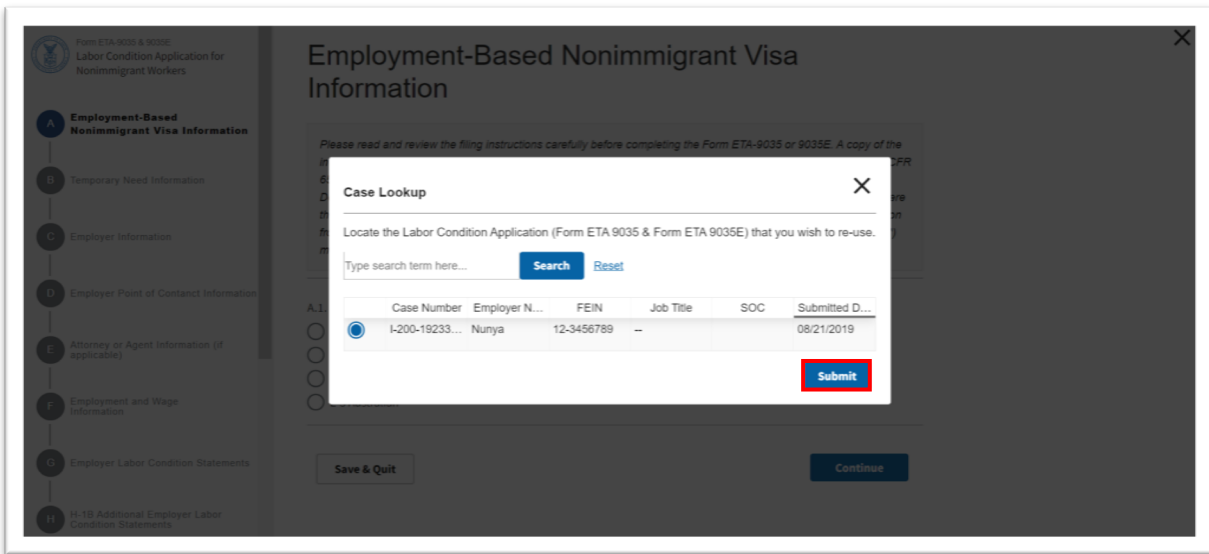




38. Utilize the “Case Lookup” functionality to search for the Labor Condition Application that you wish to Re-use or select the radio button to the left of the Case Number.



39. Click “Submit.”





40. Select sections of the Case to re-use and click "Submit." The application will populate the selected sections into the new application.

The screenshot shows the 'Employment-Based Nonimmigrant Visa Information' page with a modal dialog box titled 'LCA Case Lookup'. The dialog box prompts the user to 'Select Case Section(s) to re-use from selected case: I-200-19233-000233'. It contains a table with the following data:

Section	Title
<input checked="" type="checkbox"/> A	Employment-Based Nonimmigra...
<input checked="" type="checkbox"/> B	Temporary Need Information
<input checked="" type="checkbox"/> C	Employer Information
<input checked="" type="checkbox"/> D	Employer Point of Contact Infor...
<input checked="" type="checkbox"/> E	Attorney or Agent Information (if ...
<input checked="" type="checkbox"/> G	Employer Labor Condition State...

At the bottom of the dialog box, there are 'Cancel' and 'Submit' buttons. The 'Submit' button is highlighted with a red border. The background application shows a sidebar with navigation options A through H, and the main content area with instructions and a 'Save & Quit' button.