

INTRODUCTION

In this guide, we will provide an overview of the Public Access File (PAF) in the Envoy Customer Portal.

ABOUT THE PAF

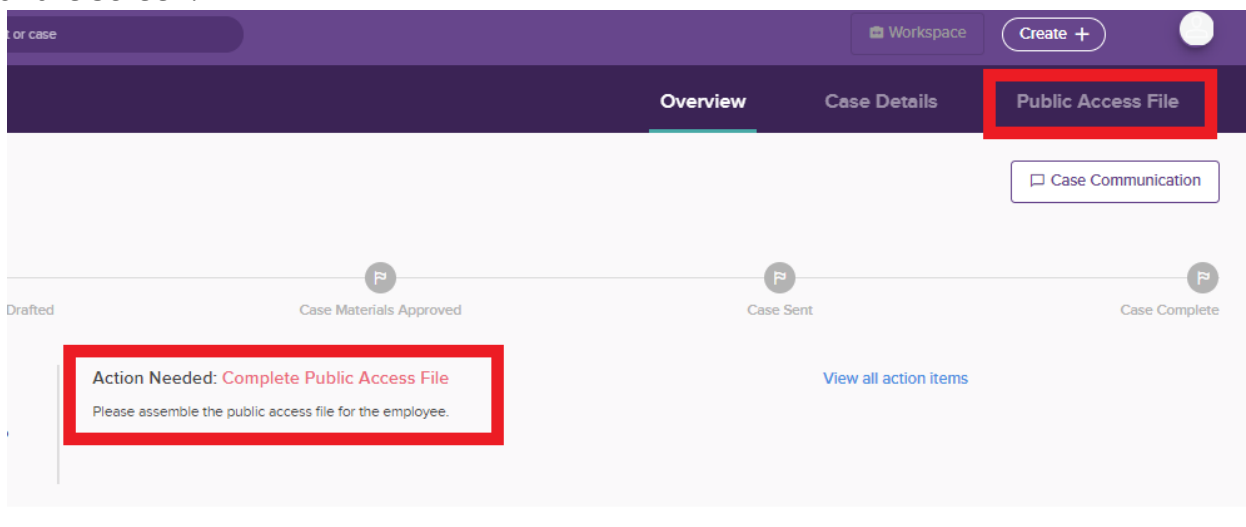
For H-1B, H-1B1 or E-3 visa petitions, Envoy- affiliated attorneys must file a document called the Labor Condition Application (“LCA”) with the DOL attesting to the customer’s need for the visa-sponsored worker. As part of this process, employers must maintain a hard file or electronic PAF.

The PAF must be made available for public inspection upon demand as of the date the LCA is filed with the DOL. Customers must retain the PAF (either electronically or via a hard file) for the earlier of (a) one year beyond the end of the period of employment specified on the LCA, or (b) one year from the date you withdraw the LCA. Any employer who fails to maintain the PAF can be liable for penalties, which can include fines and debarment from filing additional H-1B petitions for up to three years.

Envoy automatically creates an electronic PAF for cases containing an LCA (H-1B, H-1B1 or E-3 visa petitions).

ACCESSING THE PAF

When the PAF is ready for the customer’s review, the customer will see an action item to Complete Public Access File. To access the PAF, customers may select the Complete Public Access File link. Customers can also access the PAF anytime by selecting the Public Access File tab on the top right corner of the screen.



PAF PLACEHOLDERS

The PAF contains placeholders with specific instructions associated with each requested item to ensure the customer's compliance with the applicable DOL regulations.

The screenshot displays the Envoy Customer Portal interface. At the top, there is a navigation bar with the Envoy logo, user information (Dunder Mifflin, Division 1), a search bar, and options for Workspace and Create. Below the navigation bar, the page title is "H-1B Transfer for Angela Martin" with account and division details. The main content area is titled "Public Access File" and contains a list of placeholders for documents to be uploaded or reviewed. The placeholders are: Certified LCA (Document upload to be completed by Envoy-affiliated attorney), Benefits Summary (Upload), Notice of Filing an LCA, Actual Wage Statement (Review and Complete Form), Prevailing Wage Source (Document upload to be completed by Envoy-affiliated attorney), Other Documents, and Notice of Filing an LCA - FN. A "Chat" button is visible in the bottom right corner.

Certified LCA (Attorney)

Envoy-affiliated attorneys must file the Labor Condition Application ("LCA") with the DOL attesting to the customer's need for the visa-sponsored worker. Once the DOL approves and certifies this document, the Envoy-affiliated attorney will provide the Certified LCA to the customer for review and signature. The signed Certified LCA will be added to the PAF by the Envoy-affiliated attorney.

Benefits Summary (Employer)

Customers must upload a document or brochure summarizing the benefits offered to U.S. workers and visa-sponsored workers. This can be a benefits handbook or other summary that covers all employees. Once this document has been uploaded, it will transfer to all PAF folders and will no longer be requested. It is important to update this section on an annual basis.

Notice of Filing an LCA (Attorney and Employer)

Envoy-affiliated attorneys provide the Notice of Filing an LCA to customers once they have drafted the LCA. Once the posting is complete, the customer must upload the Signed Notice of Filing an LCA within this placeholder.

Actual Wage Statement (Employer)

The Actual Wage Statement specifies the basis used to establish the sponsored employee's wage. The employer should complete this form. Employers may complete the template within the placeholder or may upload their own document within the placeholder.

Prevailing Wage Source (Attorney)

When preparing the Labor Condition Application ("LCA"), Envoy-affiliated attorneys will determine the prevailing wage for the visa-sponsored worker's position. Documentation confirming the Prevailing Wage Source will be added to the PAF by the Envoy-affiliated attorney.

Other Documents (Employer)

The employer may store additional documents related to the PAF. Documents can include those that aren't required in the PAF but are kept by the company for reference.

Notice of Filing an LCA – FN (Employee)

Employers do not need to provide anything for this placeholder, this placeholder is merely for the employer's visibility. If the visa-sponsored worker works from their home office, Envoy-affiliated attorneys may provide a Notice of Filing an LCA for the employee once they have drafted the LCA. The employee must post the notice for a minimum of 10 calendar days in two places within their home office. Once the posting is complete, the employee must upload the Signed Notice of Filing an LCA within this placeholder.