E-3: Specialty Occupation Workers from Australia

The E-3 visa category is a temporary, nonimmigrant category available only to citizens of the Commonwealth of Australia entering the U.S. to work in a specialty occupation.

Criteria
Georgia Tech sponsorship for E-3 status is available for the following employment categories:

- Regular Research Faculty
- Regular, Non-Tenure Track Teaching Faculty
- Staff
- Tenured or Tenure-Track Teaching Faculty

The position must meet one of the following criteria to qualify as a specialty occupation:

- Bachelor's or higher degree or its equivalent is normally the minimum entry requirement for the position
- The degree requirement for the job is common to the industry or the job is so complex or unique that it can be performed only by an individual with a degree
- The employer normally requires a degree or its equivalent for the position
- The nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with the attainment of a bachelor's or higher degree.

Process
The E-3 process should be initiated by the department as early as possible to avoid delays in employment start dates or gaps in employment authorization.

1. The first step in the process involves Global HR determining the prevailing wage for the position. The prevailing wage rate is defined as the average wage paid to similarly employed workers in a specific occupation in the area of intended employment. If the prevailing wage is higher than the salary offered, the department will be notified.

2. The second step is certification of the Labor Condition Application (LCA), also from the Department of Labor. After the LCA is submitted, it is certified in 7 days.

3. After the LCA has been certified, the E-3 beneficiary can apply for the E-3 visa (if they are outside the US) or Global HR will mail the I-129 petition to extend or change status to USCIS (if the beneficiary is in the US).
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Maintaining Status/Employer Compliance

Changes in Employment
All changes in employment for an E-3 employee must be reported to Global HR before the change occurs. The employing department should complete the Notification of Changes in Employment e-form in iStart. If further action is necessary (i.e. an E-3 amendment), the department will be notified.

Length of Stay
E-3 status may be granted for an initial two-year period, with indefinite two-year increment extensions possible.

Other Information

Dependents
The dependent spouse, and children under age 21, of an E-3 principal may be granted E-3 status. E-3 dependents may be employed by GT if they can present the appropriate documentation.