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Labor Condition Application for H-1B, H-1B1 and E-3 Nonimmigrant Workers Form ETA-9035CP

U.S. Department of Labor

IMPORTANT: Please read these instructions carefully before completing the Form ETA-9035 or 9035E – Labor Condition Application (LCA) for Nonimmigrant Workers. These instructions contain full explanations of the questions and attestations that make up the LCA, Form ETA-9035 and 9035E, with further information about the employer’s obligations provided in 20 CFR 655 Subpart H. If the employer plans to file non-electronically, which is allowed only for certain reasons set out below, ALL required fields and items containing an asterisk (*) must be completed as well as any fields and items where a response is conditioned on the response to another required section/field or item as indicated by the section (§) symbol. In accordance with 20 CFR 655.740, once an LCA has been received from an employer, a determination will be made by the ETA Certifying Officer whether to certify the LCA or return it to the employer not certified. Where all items on the Form ETA- 9035 or 9035E are complete and do not contain obvious inaccuracies, the ETA Certifying Officer will certify the LCA within 7 working days of the date the LCA is received and date-stamped by the Department. If the LCA is not certified pursuant to 20 CFR 655.740(a)(2)(i) or (ii), the ETA Certifying Officer will return it to the employer, or the employer’s authorized agent or representative, explaining the reason(s) for such return without certification. Except in the case of a disqualification issued by the Wage Hour Administrator, the employer may submit a corrected LCA to the Department for review, which shall be treated as a new LCA and processed on a “first come, first served” basis. Anyone who knowingly and willingly furnishes false information in the preparation of the Form ETA- 9035 or 9035E and any supplement thereto, or aids, abets, or counsels another to do so is committing a Federal offense under 18 U.S.C. 1001 or other provisions of law.

A: Employment-Based Nonimmigrant Visa Information

1. Indicate the type of visa classification supported by this application **H-1B**

B: Temporary Need Information

1. Job Title **ETL Consultant - KBGFJG15551-8**

2/B.3. SOC (ONET/OES) Code and Occupation Title **15-1121.00**

2/B.3. SOC (ONET/OES) Code and Occupation Title **Computer Systems Analysts**

4. Is this a full-time position? **YES**

5. Begin Date **2019-12-19**

6. End Date	2022-12-18
7. Total Worker Positions Being Requested for Certification	1
a. New Employment	0
b. Continuation of previously approved employment without change with the same employer	0
c. Change in previously approved employment	0
d. New concurrent employment	0
e. Change in employer	0
f. Amended petition	1

C: Employer Information



1. Legal Business Name	Teradata Operations, Inc.
3. Address 1	17095 Via Del Campo
5. City	San Diego
6. State	CALIFORNIA
7. Postal Code	92127
8. Country	UNITED STATES OF AMERICA

10. Telephone Number **+14083522247**

12. Federal Employer Identification Number
(FEIN from IRS) **14-2002217**

13. NAICS Code **541513**

13. NAICS Description **Facilities (i.e., clients' facilities)
support services, computer systems
or data processing,**

D: Employer Point of Contact Information



1. Contact's Last (family) Name **Marshall**

2. First (given) Name **Carla**

3. Middle name(s) **C**

4. Contact's Job Title **Global Mobility Manager**

5. Address 1 **17095 Via Del Campo**

7. City **San Diego**

8. State **CALIFORNIA**

9. Postal Code **92127**

10. Country **UNITED STATES OF AMERICA**

12. Telephone Number **+18584851220**

14. Business e-mail address

Carla.Marshall@Teradata.com

E: Attorney or Agent Information (if applicable)



1. Is the employer represented by an attorney or agent in the filing of this application? **Attorney**

2. Attorney or Agent's Last (family) Name **Peiris**

3. First (given) Name **Shali**

4. Middle Name(s) **Maryanne**

5. Address 1 **100 Adelaide Street West**

7. City **Toronto**

9. Postal Code **M5H0B3**

10. Country **CANADA**

11. Province **Ontario**

12. Telephone Number **+14169432999**

14. Email Address **EGANLLP@ca.ey.com**

15. Law Firm/Business Name **EY Law LLP**

16. Law Firm/Business FEIN **98-0397829**

17. State Bar Number

5258892

18. State of highest state court where attorney is in good standing

NEW YORK

19. Name of highest state court where attorney is in good standing

Court of Appeals

F: Employment and Wage Information



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

Wage Rate Paid to Nonimmigrant Workers From

81319.00

Wage Rate Paid to Nonimmigrant Workers Per

Year

Prevailing Wage Rate

78998.00

Prevailing Wage Rate Per

Year

Identify the source user for the prevailing wage (PW)

f13_is_oes_prevailing_wage

Wage Level

II

Source Year

7/1/2019 - 6/30/2020

Enter the estimated number of workers that will perform work at this place of employment under the LCA

1

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

YES

Legal Business name of secondary entity

American Airlines, Inc

Address 1

1 Transformation Way

City

Fort Worth

County

TARRANT

State/District/Territory

TEXAS

Postal Code

76155

Wage Rate Paid to Nonimmigrant Workers From

81319.00

Wage Rate Paid to Nonimmigrant Workers


Year

Per	
Prevailing Wage Rate	78998.00
Prevailing Wage Rate Per	Year
Identify the source user for the prevailing wage (PW)	f13_is_oes_prevaling_wage
Wage Level	II
Source Year	7/1/2019 - 6/30/2020
Enter the estimated number of workers that will perform work at this place of employment under the LCA	1
Indicate whether the worker(s) subject to this LCA will be placed with a secondary entity at this place of employment	YES
Legal Business name of secondary entity	American Airlines, Inc
Address 1	1 Skyview Drive
City	Forth Worth
County	TARRANT
State/District/Territory	TEXAS
Postal Code	76155
<hr/>	
Wage Rate Paid to Nonimmigrant Workers From	81319.00
Wage Rate Paid to Nonimmigrant Workers Per	Year
Prevailing Wage Rate	62130.00
Prevailing Wage Rate Per	Year
Identify the source user for the prevailing wage (PW)	f13_is_oes_prevaling_wage
Wage Level	II
Source Year	7/1/2019 - 6/30/2020
Enter the estimated number of workers that will perform work at this place of employment under the LCA	1
Indicate whether the worker(s) subject to this LCA will be placed with a secondary entity at this place of employment	YES
Legal Business name of secondary entity	American Airlines, Inc
Address 1	3900 North Mingo Rd

City	Tulsa
County	TULSA
State/District/Territory	OKLAHOMA
Postal Code	74116


G: Employer Labor Condition Statements 

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**

H: H-1B Additional Employer Labor Condition Statements 

1. At the time of filing this LCA, is the employer H-1B dependent? **NO**

2. At the time of filing this LCA, is the employer a willful violator **NO**

I/J: Employer Obligations 

Notice of Obligations

A. Upon receipt of the certified LCA, the employer must take the following actions: Print and sign a hard copy of the LCA if filing electronically(20 CFR 655.705(c)(3)); Maintain the original signed and certified LCA in the employer's files (20 CFR 655.705(c)(2)); 20 CFR 655.730(c)(3) ; and 20 CFR 655.760) Make a copy of the LCA, as well as necessary supporting documentation required by the Department of Labor regulations, available for public examination in a public access file at the employer's principal place of business in the U.s> or at the place of employment within one working day after the date on which the LCA is filed with the Department of Labor (20 CFR 655.705(c)(2) and 20 CFR 655.760).

B. The employer must develop sufficient documentation to meet its burden of proof with respect to the validity of the statements made in its LCA and the accuracy of information provided, in the event that such statements or information is challenged (20 CFR 655.705(c)(5) and 20 CFR 655.700(d)(iv)).

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).

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**

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

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

3. Middle Initial **C**

4. Hiring or designated official title **Global Mobility Manager**

K: LCA Preparer



1. Last (family) Name **Singh**

2. First (given) Name **Tanya**

4. Firm/Business Name **EY LAW LLP**

5. Email Address **Tanya.Singh@ca.ey.com**

APP A: Appendix A - Educational Attainment Documentation



Appendix A. Record(s)