100 Parsons Pond Rd,

Franklin Lakes,

NJ 07417, United States

**www.cognizant.com**

April 15, 2020

United States Citizenship and Immigration Services

USCIS Service Center

**Re:** Mr. Pathmanaban Govindhan

Dear Officer:

I offer this letter to detail in-depth the conditions of the direct employment of Mr. Pathmanaban Govindhan by Cognizant Technology Solutions U.S. Corporation ("Cognizant"), which has filed an H-1B petition with the U.S. Citizenship and Immigration Services ("USCIS") on his behalf.

When Cognizant employees, such as Mr. Pathmanaban Govindhan, are placed at a Cognizant client's worksite, the Client is not in any way their employer. At all times, Cognizant remains the sole and direct employer, and has control over the work of our employees. It is Cognizant that selects which of its employees will conduct work activities at a Client's worksite, determines what activities those employees will perform, and directly supervises and controls the work of those employees. At all times, Cognizant is responsible for paying salaries, benefits, and expenses for those employees, and the Client does not employ those individuals nor does the Client in any way function as their employer.

As well, the Performance Management Process at Cognizant is a structured formal interaction between an employee and his manager. This process includes evaluating performance against set objectives and competencies applicable for that role, providing performance feedback, identifying development needs and setting goals for the future. The on-going performance communication takes place between the employee and that employee's manager, which results in a performance rating for the employee. Mr. Pathmanaban Govindhan will be evaluated by me, his Cognizant managers. The objective of this Performance Management Process is to fuel the success of Cognizant and its employees.

Cognizant is among the 80% of U.S. businesses that permits employees to work remotely, e.g., from an employee's home and/ or a client worksite. Throughout Cognizant maintains its employer-employee relationship with all Cognizant employees, including those who may work remotely, through the managerial control that Cognizant generally exerts over its employees. Such Cognizant supervisory control over employees encompass many levels, including hire/ fire, assignment deployment/ re-deployment, productivity, desired outcomes, and actual processes and tools. As well, Cognizant assumes all responsibilities of an employer, including the payment of wages, the withholding of payroll taxes, the payment of federal and state taxes for unemployment, and other similar legal requirements. In the course of controlling the work activities of employees, Cognizant managers use a multitude of communication media and tools, including reporting and meetings, in person or through technology, such as video conferencing, desktop video, VoIP, mobile phones, and instant messaging, as well as through Cognizant systems and tools. As Mr. Pathmanaban Govindhan’s direct Cognizant manager, I oversee, assign, control and review his work on a regular basis both in-person and with the alternate means of communication noted above.

Mr. Pathmanaban Govindhan will perform his duties on a full-time, 40 hour per week basis, as a highly accomplished and experienced employee who requires minimal supervision to perform his day-to-day work activities. The role held by Mr. Pathmanaban Govindhan at Cognizant requires several years of experience in the software industry and at minimum a Bachelor's degree in a field of study related to computer systems. Moreover, Mr. Pathmanaban Govindhan will be charged with coordinating and managing software solution deliverables which involves coordination with Cognizant's offshore development centers. I will have direct control over his day-to-day specialty occupation work duties, I will assign and review his work product, and I will appraise his work performance. To be clear, Mr. Pathmanaban Govindhan’s will perform his duties as an individual contributor under my direct and close supervision. The minimum requirements are normal for the occupation within the industry in the United States, bear a reasonable relationship to the occupation in the context of our leadership position in the IT software development and consulting industry, and are essential to perform the job in a reasonable manner. Cognizant's key differentiators are our domain knowledge wherein we continuously drive towards increasingly deeper domain knowledge in conjunction with our organization of focus and changing business models. Cognizant's uniquely integrated services and industry domain-aligned go-to-market methodology has enabled us to consistently grow our business and build a competitive advantage in the continuously evolving and highly competitive IT industry. Thus, to continue to maintain our competitive advantage in the marketplace, the complexities of the job duties could not be properly performed by an individual who does not possess the professional background specified above.

Mr. Pathmanaban Govindhan will perform the following work activities:

|  |  |  |
| --- | --- | --- |
| **Ref.** | **Description of Job Duty** | **Percent** |
| 1 | * Work with clients, developers, programmers, and team members to solve complex business problems; including develop feasibility studies for automation, Test plans, cost/benefits, alternative solutions, resource requirements, and project estimates. * Apply, design and develop automated testing strategies and build automated testing frameworks. | 20% |
| 2 | * Develop Test plan and Test scripts using the business documents. * Develop Automation Test scripts using Automation framework (Juit, Cucumber, TestNG, Selenium framework) with JAVA programming and share automated test results to stakeholders * Develop load, performance test scripts using tools like JMETER and perform load/performance testing. * Prepare test cases for the system covering usecase document, design document, reviewing them with the business analyst and finalized the test cases. | 20% |
| 3 | * Involved in Testing in Agile Development Environment Using TDD and ATDD approach. * Validated web services manually and through automation using SOAP UI. * Documented and executed **Testplans,** **Test cases**and **Test scripts** based on business requirement document. | 20% |
| 4 | * Tested extensive backend Database testing usingSQLQueries to retrieve the data from the database and check data integrity. * Perform Smoke testing, Sanity testing, End-to-End testing and UserAcceptance Testing during various stages of software development | 15% |
| 5 | * Submit testing reports for discovering software bugs * Reporting bugs and verifying bug fixes. * Maintained detailed test logs and reported test results in Test Management tools * Participated in Sprint meetings like sprint planning, Retrospective, test plan and test cases review meetings. | 15% |
| 6 | * Responsible for daily and weekly status reports to update business teams and project managers * Contribute and provide test reports to prepare cognizant monthly metrics in tools like mainspring | 10% |

The below organization chart is specific to the assignment which Mr. Pathmanaban Govindhan has been selected for in the U.S. within our **ESHC - DW QA - QEA** business unit:

Cognizant's practice of entering into MSAs, and other contractual agreements that are under the governance of the relevant MSA, is premised on a host of business and legal concepts. These considerations serve as the underlying basis for a validity period of the agreement, which may not be representative of the full length or duration of our client relationship and Cognizant's provision of services. Indeed, most of our short term agreements entered into under the governing MSA are renewed subsequent to negotiations between each client and Cognizant, either prior to or after the expiration of the existing agreement. One consideration for Cognizant limiting the validity of a customer agreement is risk of payment default, specifically bankruptcy where a court could require that Cognizant continue to provide services if our agreement is in effect on the date of the bankruptcy petition filing. Another example involves a warranty that begins only once the specified phase of the work is completed whereas a longer duration agreement would essentially extend the warranty to the interim services which is not commercially reasonable for Cognizant. In this instance, the validity period of the Statement of Work (SOW), or equivalent short term agreement between Cognizant and Walgreens, or equivalent alternate contractual agreement, is not definitive of the extent and duration of Cognizant's customer engagements.

Please feel free to contact me for additional information. Thank you.

Sincerely,