Motion or Appeal (Form -I290B) - Within 30 days (33 days in mail)

Questions to Immigration

With new petition does the change order start date #June 4 is valid?

* 1. Internal job description, job postings that shows requires bachelor degree
  2. Company is lacking evidence the number of people you employ require bachelors
  3. Professor’s opinion does not relate his conclusion to specific, concrete aspects of your business operations so as to demonstrate a sound factual basis for the professors conclusion about educational requirements for the preferred position
  4. Professors opinion is not supported by copies or citations of research material that may be used
  5. Professor opinion not provided facts that specific position requires a bachelors or higher

Professors opinion

**Reasons**

1. No Employer employee relationship
   1. Petition was filed on April 24 2019 but change order is on June 4 2019
   2. No complex duties or description of duties in the evidence from end client
2. Service in a specialty occupation
   1. No evidence provided that beneficiary will perform services in specialty occupation at end client
   2. No evidence provided that beneficiary will perform services in specialty occupation at beneficiary residence
   3. No detailed description of specialized job duties the beneficiary will perform
   4. Qualifications required
   5. Duration of the job
   6. Salary wages paid
   7. Hours worked
   8. Benefits
   9. Supervisor description
3. Specialty Occupation
   1. Job duties are not complex
   2. No elaboration of duties mentioned that will provide the duties are complex in nature
   3. No elaboration on application knowledge ,specific tasks, methodologies
   4. Usage of terms Identify, ensure, help is very general.not adequately convey the substantive work that beneficiary will perform
   5. No evidence to demonstrate that a degree in a specific field of study is common to the software development and consultancy services industry in parallel positions among similar organizations.
   6. Complexity and uniqueness
   7. Employer normally requires a degree or its equivalent for the position
   8. Internal job description, job postings that shows requires a bachelor degree
   9. Company is lacking evidence the number of people you employ require bachelors
   10. Professor’s opinion does not relate his conclusion to specific, concrete aspects of your business operations so as to demonstrate a sound factual basis for the professors conclusion about educational requirements for the preferred position
   11. Professors opinion is not supported by copies or citations of research material that may be used
   12. Professor opinion not provided facts that specific position requires a bachelors or higher

**Next steps**

Client letter with details to indicate evidence on valid contracts, service work orders, sow

Client letter to mention comprehensive description of duties, source of tools needed to perform the job or describe the product to be developed or the service to be provided

Client letter to mention performing specialty services at end client location

Job duties that relate to SOW end date or requested H1B validity period

**Best option**

We must have filed a new petition instead of responding to RFE as there Change order date is not before Petition filed date

**Documents**

Itinerary

Client letter

Professional service agreement

Change order#2 to SOW#6

SOW#6

Organizational Chart

Appraisal report

**Series of events**

April 24 Extension filed

May 3 RFE raised

June 19 RFE responded