

## Guidance: Proposed Prevailing Wage Change for H-1B Workers

April 2, 2026

The U.S. Department of Labor (DOL) issued a [proposed rule](#) on March 27 that would significantly increase required minimum wage levels for employers sponsoring H-1B, E-3, and permanent employment-based applicants.

Be aware that this is currently a **proposed rule** only. No changes are currently in effect. The proposed rule is in a 60-day mandatory public comment period ending May 26. There could be legal challenges. In 2020, Cornell joined the U.S. Chamber of Commerce and other universities, colleges, and organizations in a lawsuit challenging a comparable DOL interim final wage rule. That challenge was successful, and the rule was vacated.

International faculty and staff are a vital part of Centenary's community. Human Resources is closely monitoring the public conversation over this proposed change. We will share additional guidance when more information becomes available or if the rule advances toward finalization. Don't hesitate to [reach out for support](#) in the meantime if you have questions or concerns.

### Proposed Changes in Brief

If the new rule goes into effect, prevailing wage levels across all four wage tiers used for H-1B, E-3 (Australia), and EB-2 PERM (employment-based green card) processes would rise.

- Entry-level (Level I) minimum wages would increase the most, with potential increases of 30–33%.
- Higher wage levels would also rise substantially.

### Pending Cases Not Affected

If the rule goes into effect, it will only apply to **new prevailing wage determinations** issued after the rule becomes final. Pending or already approved cases will not be retroactively impacted.

### What the Centenary Community Needs to Know

Why are these changes proposed?

[DOL argues current prevailing wages](#) for select international hires are set too low compared to market wages and may allow employers to undercut U.S. workers.

### How would Centenary be affected?

If the proposed rule goes into effect without changes, we expect the following impacts:

- Required salaries for H-1B and PERM petitions will increase.
- Human Resources will compare the CUPA approved median to the prevailing wage and notify the Provost office. The DOL requires employers to pay the higher of the prevailing wage (set by the DOL) or the actual wage (set by the employer)

- Colleges, schools, and hiring units will need to plan for higher salaries when considering international hires or permanent residence sponsorship.
- Departments may need to reassess salary and funding feasibility, both for new cases and extensions of H-1B.

What should hiring units do now?

- Continue with planned hiring and immigration processes for the time being.
- Submit visa sponsorship requests as early as possible—six months ahead of the proposed position start date.
- Submit visa sponsorship requests for the full duration of expected employment.