

UIC POLICIES AND PROCEDURES

NUMBER
314

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SUBJECT Sponsorship of Nonimmigrant Academic Employees for Permanent Residency	EFFECTIVE 04/01/1997	REVISED 09/01/2013
ISSUED BY Assistant Vice President of Human Resources	APPROVED BY Chancellor	

PURPOSE

To establish policy and procedures regarding sponsorship by the University of nonimmigrant employees for permanent status.

SOURCES AND BACKGROUND

Department of Labor
Department of Homeland Security
Office of the Vice Chancellor for Academic Affairs
Office of International Services' Guidelines

APPLICABILITY

All supervisors requesting to sponsor a university nonimmigrant employee for US permanent residency

POLICY

Any department or unit that wishes to sponsor a nonimmigrant employee for U.S. permanent residency based on University employment must obtain prior written approval from the appropriate department and the Office of International Services.

Immigration regulations stipulate that employers may only sponsor international employees for permanent residency if both of the following conditions are met: 1) the position is permanent and full-time, and 2) the employee intends to remain in the position indefinitely. Under no circumstances, however, should a nonimmigrant employee be advised that the University will be able to obtain permanent resident status before approval by the Office of International Services.

PROCEDURES

RESPONSIBILITY

1. Department Head/Hiring Official

ACTION

Verifies that the nonimmigrant employee is in a full-time permanent position as defined by Human Resources. Prepares a written request to initiate sponsorship that includes the following basic information about the individual: name, title, duties to be performed, annual salary, whether the position is tenure or non-tenure track, new or replacement, initial date of hire, and name of

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2. Employee

immediate supervisor.

Signs and dates, as a part of the sponsorship packet, the Lawful Permanent Sponsorship Statement. Prepares copies of Curriculum Vitae, passport, previous immigration documents and academic credentials.

3. Department/Unit Head

Endorses the request and expenditure, and submits it to the Office of International Services (OIS). If department cannot afford fee, refers request to appropriate Dean or Vice Chancellor.

4. Dean or Vice Chancellor

Reviews request. If supported, provides FOAPAL account number and forwards to OIS.

5. Office of International Services (OIS) Official

Reviews request, and verifies with Human Resources that the position is full-time and permanent. Determines if the nonimmigrant employee is eligible for sponsorship based on the employee's current nonimmigrant status with the United States Department of Homeland Security. Determines which category of sponsorship to pursue. If the individual is not in a full time permanent position, or is otherwise ineligible for sponsorship, returns request to the department. If the request is endorsed by OIS, then the OIS staff will prepare the case.

6. Provost and Vice Chancellor for Academic Affairs

Reviews sponsorship documents, approves or disapproves. If disapproved, returns it to the department. If approved, forwards it to the OIS.