

POLICY ON SPONSORSHIP OF FOREIGN PERSONNEL FOR NON-IMMIGRANT VISAS

I. General Statement of Policy

It is the University's policy that its employment of foreign personnel shall be in full compliance with the provisions of the Immigration Reform and Control Act of 1986, as amended from time to time. To that end, the University shall not employ any individual without first verifying that the individual can establish employment eligibility. Throughout all periods of employment by and with the University, it is the individual's responsibility to maintain a lawful status that provides for employment eligibility. In order to obtain or maintain such lawful status, the University may be requested or desire to sponsor a foreign national for Non-Immigrant (Work) status. Specifically, this policy covers the following:

- Who the University will Sponsor for Non-Immigrant (Work) Visas
- Who will be Responsible for the Costs Associated with Sponsorship

II. Who the University Will Sponsor for Non-Immigrant (Work) Visa?"

The University's sponsorship of foreign personnel for Non-Immigrant (Work) visas is primarily reserved for faculty, researchers and other scholars, but may be considered in other circumstances as well. Given the complex nature of immigration regulations, determinations whether to sponsor a foreign employee will be made on a case-by-case basis, after consultation with the University's immigration counsel. The major factors to be taken into consideration in each case include the University's need for the particular position and the foreign employee's eligibility for a Non-Immigrant (Work) visa. In light of the foregoing, every offer of employment made by the University will be contingent upon the prospective employee's ability to establish legal eligibility to accept employment in the United States.

III. "When Will the University Sponsor a Foreign Employee for Non-Immigrant (Work) Visa?"

The University's sponsorship of foreign personnel for a Non-Immigrant (Work) visa will be undertaken as soon as a determination of eligibility has been made by the University's immigration counsel and as soon as is practicably possible.

IV. “Who Will be Responsible for the Fees and Costs Associated with the Sponsorship?”

By regulation, in the case of H-1B and TN visas, the University must bear all costs associated with the standard petition process on behalf of the foreign employee. All costs related to dependent cases are the responsibility of the foreign employee and as such, will be billed directly to foreign employee.

As regards all other nonimmigrant work visas and any premium processing fees, the determination as to whether the University or the foreign employee will bear the attorney’s fees and costs associated will be made on a case-by-case basis.