To: HR Pros

Subject: HR Pro Link: Revisions to Academic Guidelines – Appendix H

REVISIONS TO THE “GUIDELINES FOR RECRUITING AND APPOINTING ACADEMIC PERSONNEL”

A. The information in Appendix H: Citizenship, Residency and Visa Requirements has been clarified with regard to faculty search procedures and permanent residency applications. The paragraph dealing with applications for permanent residence has been revised. The revised paragraph contained in Appendix H is copied below.

Applications for Permanent Residence:
If a faculty search is likely to attract international applicants, consider placing at least one advertisement in a printed national journal. Department of Labor (DOL) regulations require at least one advertisement for the search to be in a national print journal. If this DOL requirement is not met, the department will not be able to use the initial search to pursue the least burdensome Permanent Residence application process (known as Labor Certification). In addition, DOL regulations stipulate an 18 month deadline from the date of the job offer to the filing of the Labor Certification application. Therefore, it is crucial that hiring departments contact International Student and Scholar Services to start the Permanent Residence application process no later than 12 months after the job offer. Also, contact International Student and Scholar Services for more information on whether a particular advertisement or journal would qualify, and other guidance on visa requirements for international scholars. If the initial search does not meet the Labor Certification regulations, the department will have to pursue another avenue to apply for Permanent Residence, most commonly by initiating a new search or waiting until the faculty member’s research record meets the U.S. government standard of “international recognition as an outstanding researcher.”

B. To align with this further clarification of information with regard to application for permanent residence, Section II. Tenure-Track and Tenured Faculty (94xx) was revised to mirror this information.

The following two important items are highlighted from the information above:

1) Requirement for Print Journal Ads
Departments who want to be able to obtain Permanent Residency (so-called "green card") for non-citizens hired for tenure-track faculty positions are advised to advertise in at least one national print journal used by the academic field. This must be done as part of the original search, it cannot be added at a later date. A national print journal ad is a Department of Labor requirement if a department wishes to utilize the most advantageous and least burdensome Permanent Residence application procedure for such positions, known as Labor Certification for College and University Teachers.

The Chronicle of Higher Education is always an acceptable option if other national journals used by the academic field are all in electronic format.

2) 18 Month Deadline to Apply for Permanent Residence via Labor Certification
The Department of Labor regulations stipulate an 18 month deadline from the date of the job offer to the filling of the Labor Certification application. Therefore, it is crucial that hiring departments contact International Student and Scholar Services no later than 12 months after the job offer, since it takes several months to assemble a Labor Certification application.

If you have questions about the Permanent Residence process in this regard, please contact Mark Schneider at International Student and Scholar Services, 624-1478.