

H1-B Visa and Non-US Citizen Applicants FAQ

The College values inclusivity, community and integrity. We also carry the trust in the use of public funds. We want to encourage all hiring departments in considering the opportunities that are available to assist in diversifying our employees and faculty through H1-B sponsorships. We also acknowledge the costs associated with time commitments and funding issues that such an opportunity presents to each department. The choice to pursue sponsoring a candidate needs to have the support of all who are involved. The Office of People Workplace and Culture is available to assist departments in making these decisions and in supporting these opportunities.

Definition of H1-B Category: The H-1B is a visa in the United States under the Immigration and Nationality Act, section 101 that allows U.S. employers to temporarily employ foreign workers in specialty occupations. A specialty occupation requires the application of specialized knowledge and a bachelor's degree or the equivalent of work experience. The duration of stay is three years, extendable to six years; after which the visa holder may need to reapply.

Is the College supportive of H-1B Sponsorships? Yes.

Is the College supportive of Green Card Sponsorship? No.

Are part-time adjunct positions considered for sponsorship? No.

What is the application process and costs associated with the petition?

- The department will be responsible for all costs associated with the application process and any retainment fees by the attorney.
 - The attorney retainment fee is \$3,000.00
- The filing fee with the US Department of Homeland Security is \$3,460.00
 - \$960 application fee for H1-B
 - \$2,500 premium processing fee – The processing of the H1-B petition is within 15 calendar days.

What is the application process, estimated time, other considerations?

- Estimated time 6 months to complete the process.
 - Premium Processing \$2,500.00 allows a two week rush on application approval. Estimate time is 2-4 months to complete the process.
- Prevailing wage - the minimum salary threshold that the USCIS determines is to be paid.
- Visa Duration – Up to 6 years total/3 years issuance.
 - If a candidate has 2 years on the visa, 4 years remain.

We have a candidate that we are interested in sponsoring. What next?

- Hiring manages notifies HR of the selected candidate for sponsorship/visa.
- Dean notifies Clifton Sanders of the petition.
- Pre-employment procedures the same
 - Background (international if needed)
 - Transcripts (Transcript evaluation may be necessary)
 - Conditional Letter of Appointment – Pending eligibility to work in the US.

- HR notifies College Legal Office. Chris Lacombe makes the arrangements with an immigration attorney from the AG's Office.

Job Posting Information

What if a department chooses not to sponsor? This decision needs to be made before posting the position. If a department chooses not to pay the fees associated with securing an applicant an H-1B visa, the *job posting language* should state the following:

- “Applicants must currently be authorized to work in the United States on a full-time basis.”

If the posting states “Applicants must currently be authorized to work in the United States on a full-time basis”, could the committee eliminate a candidate requiring sponsorship? Yes.

- SLCC Applications include the question: *Will you now or in the future require sponsorship for employment visa status?* If the applicant answers “YES” to this question and the posting has the “... must be currently authorized to work in the United States”, the candidate does not meet the requirements for the position.

What if an applicant after receiving the offer letter, then requests SLCC to sponsor?

- The Hiring Supervisor contacts Human Resources, and the situation will be reviewed on an individual basis.

Please contact James Broadbent, HR Director Faculty Services for more information at ext. 4672.