

## REQUEST FOR UAF SUPPORT OF APPLICATIONS FOR U.S. PERMANENT RESIDENCY AT THE UNIVERSITY OF ALASKA FAIRBANKS

An immigrant is a foreign national who has been authorized to live and work permanently in the United States. The application for lawful permanent residency based on permanent employment in the United States, is a multi-step process through the U.S. Department of Labor (DOL), U.S. Department of State (DOS) and the U.S. Citizenship and Immigration Service (CIS).

- First, foreign nationals and employers must determine if the foreign national is eligible for lawful permanent residency (PR).
- Second, most employment categories require that the U.S. employer complete a labor certification request (Form ETA 750) for the applicant, and submit it to the Department of Labor's Employment and Training Administration. DOL must either grant or deny the certification request.
- Third, the immigrant visa petition, Form I-140, Petition for Alien Worker, must be filed by the individual or employer for the person wishing to obtain U.S. PR status. If DOL certification is needed the application can only be filed after the certification is granted. The employer acts as the sponsor (or petitioner) for the applicant (or beneficiary) who wants to live and work on a permanent basis in the United States.
- Fourth, the U.S. State Department must give the applicant an immigrant visa number, even if the applicant is already in the United States. When the applicant receives an immigrant visa number, it means that an immigrant visa has been assigned to the applicant.
- Fifth, if the applicant is already in the United States, he or she must apply to adjust to permanent resident status after a visa number becomes available.

Requests for support of PR status will be processed through the UAF Office of International Programs (OIP). Questions about these procedures should be directed to the OIP.

To request UAF support of the application for PR, the [UAF PR Support Request Form](#) must be completed and submitted to the Provost for approval through the OIP with the items listed below.

### Departmental Responsibilities

Provide:

- Copy of position description and copy of print advertisement used during the recruitment process. **NOTE:** Under immigration regulation 656.18 Optional special recruitment and documentation procedures for college and university teachers, a copy of at least **one advertisement for the job opportunity placed in a national professional journal**, giving the name and the date(s) of publication; and which states the job title, duties and requirements must be included with the application.
- Copy of the current contract letter
- A letter from the department head, dean or director (hiring authority), not to exceed one-page in length, addressed to Bureau of Citizenship & Immigration Service, briefly outlining the individual's qualifications and why the PR status should be granted. Please note that under U.S. immigration regulations, if a U.S. citizen has applied for the position

and meets the qualifications, that person must be offered the position. A foreign national may be offered the position if there are no U.S. citizens ready, willing and able to take the position. If teaching responsibilities are not outlined specifically in the contract letter, those responsibilities should be specifically mentioned in this letter.

NOTE: Under current U.S. immigration and Department of Labor regulations, employers must pay all costs associated with the filing of labor certifications which are required under the Employment-based second preference category.

### **Employee Information and Responsibility**

- Complete the UAF PR Support Request Form and submit it to the hiring authority for approval and inclusion with departmental information.
- Copy of passport, visa and I-94 (if individual is currently in the U.S.).
- Contact information for the attorney who will be assisting the individual with the PR and Adjustment of Status applications if one is to be used.

### **OIP Responsibility**

- The OIP serves as a resource in the compilation of materials.
- Prepares the form G-28 Notice of Appearance for Provost's signature authorizing the employee's attorney to act on behalf of UAF if required.
- Performs a review of all items submitted and forwards them to the Provost for approval.
- After the Provost determination is made, forward the decision to the employee through the hiring authority. The signed G-28 will be forwarded to the employee at this time.
- For applications requiring DOL Labor Certification, notification will be forwarded to University of Alaska Statewide Office of Human Resources for coordination with the employee's attorney.
- Should the department, school, college or institute wish to fund any attorney fees associated with the PR application, coordination will be made through the UA General Counsel's office.

NOTE: Employees in H-1B status who have applied for PR status may be eligible for a one-year extension of the H-1B status beyond the 6-year limitation, only if the labor certification or PR application (I-140) have been pending for 365 days or longer.

Susan Henrichs  
Provost

Date: 6/11/2008