Sponsoring an Employee for Permanent Residence

**Staff** to be sponsored for PR

Qualifies for exemption?

- **No**
  - Signature of **Dean/VP for Research** required
  - **HRS** approves or rejects request, informs department
  - **HRA** receives notification of approval or rejection. In case of approval forwards approval to employee and attorney w. indication to attorney who will pay for what expenses

- **Yes**
  - **Dept.** signs request
  - **OAA or Faculty** to be sponsored for PR
  - **Dept.** sends request to the Office of Legal Counsel; in the BSD, to Director of Academic Affairs, who endorses and sends to the Office of Legal Counsel. (Request must be sent even if department does not pay the legal fees.)
  - **Legal Counsel** informs department (for BSD cases, Legal Counsel informs Academic Affairs)
  - **HRA** receives notification of approval or rejection. In case of approval forwards approval to employee and attorney w. indication to attorney who will pay for what expenses

If request is rejected, refer Employee to OIA for guidance on other options.

**Glossary:**
- **PR** = Permanent Residency
- **HRA** = Human Resources Administrator
- **HRS** = Central HR
- **EB PR** = Employment-based Permanent Residency
- **OIA** = Office of International Affairs
- **IA** = Immigration Attorney

**Signers:**
- Letter re no U.S. citizen/PR able, willing, etc. signed by PI or Chair
- ETA 9089, I-140 signed by OIA (Tamara Felden)
- Payment request to Office of Financial Services must be signed off by Office of Legal Counsel

**Important:** Cost of Labor Certification must be paid by employer; cannot be recovered from employee directly or indirectly; cannot be treated as employee benefit.

**Attorney**
- determines EB PR category
- provides cost estimate to unit (and employee if he/she pays)
- processes case to conclusion*

*See the Labor Certification flow chart for details when a Labor Certification is required.

While PR case is being processed, current status of employee must be maintained in many cases; where applicable, unit makes appropriate H-1B request to OIA. If the immigration attorney handling the PR case advises not to maintain the existing status, HRA should ask to get that in writing from the attorney and forward copy to OIA.