

## **Work Authorization for International Faculty at Augustana College**

Augustana College seeks to hire and support a diverse and thriving faculty body to carry out our mission of providing “a challenging education that develops the qualities of mind, spirit, and body necessary for students to discern their life’s calling of leadership and service in a diverse and changing world.” Because Augustana College deeply values diversity among faculty, we have adopted the following policies regarding work authorization for foreign national faculty members. This document provides an overview of the process by which faculty may request work authorization through Augustana College. Questions regarding the work authorization process should be directed to the Office of Human Resources.

### **Faculty Work Authorization Assistance**

All employees must be authorized to work in the United States before beginning work at Augustana. Generally, inquiries about this matter should be directed to the Office of Human Resources so that information and options can be provided to the new or prospective employee.

The Augustana All-Employee Handbook Policy on Work Authorization Assistance states:

“Some positions may be eligible for assistance with work authorization from the college. Generally, this assistance is available only for faculty positions and all requests are coordinated through the Office of Human Resources. For approved positions, the college will pay required fees for temporary (H-1B) approvals and share the cost for permanent residency applications with employees. Any assistance for family members is the responsibility of the employee.”

The Provost must approve all requests for institutional sponsorship for faculty applications for temporary and permanent work authorization. Given the substantial investment of College resources, the Provost will consider if there is significant institutional need and a reasonable expectation for longer-term employment at the College (generally 3 years or longer).

### **Temporary Work Authorization (H1B Visas)**

- Employees who are interested in pursuing H1B status as an initial application or a renewal should coordinate these efforts through the Office of Human Resources, which will consult with the Provost. Augustana College will pay for the fees associated with this filing. Additional fees for premium processing to expedite the approval will be the responsibility of the employee unless this is a necessity for College purposes. Additionally, the employee will be expected to provide the necessary information and documentation to the immigration attorney or others coordinating this filing in a timely manner.

### **Permanent Residency**

- **Eligibility:** The College will generally sponsor only tenured or tenure-track faculty members for permanent residency.
- **Institutional Sponsorship Decision:** In cases where a faculty member is demonstrating developmentally-expected and adequate progress toward tenure, the College seeks to complete the filing process for approved candidates within 18 months of hiring to utilize the special handling labor certification process from the Department of Labor. A pre-tenure faculty member may make an official request for institutional sponsorship after their official start date, and the Provost will make a decision regarding institutional sponsorship on a case-by-case basis after at least one full semester of employment at the College and by the date established by Human Resources to allow for filing within the 18 month timeframe for approved candidates. In making the decision whether to pursue permanent work authorization, the Provost will consider the department’s feedback on the faculty member’s performance and expected progress in areas considered for tenure. The Provost may also take into consideration whether the candidate is eligible for H1B visa renewal.

- If the initial request for permanent residency sponsorship is denied, the College may support extension of H1B visa status. A faculty member may make a second request for permanent residency application sponsorship to the Provost following a favorable pre-tenure review after receiving the review letter from the Faculty Review Committee.
  - In cases when the PERM Labor Certification is not filed within 18 months of the initial job offer, the College is required to complete another search for the position for which the faculty member would apply. If a search is required, the Director of Human Resources will work with the Search Chair on steps needed.
  - There may be exceptions to this timeline based on deadlines for work authorization. The candidate is responsible for informing the Provost and Director of Human Resources of the need to discuss other timeline options as soon as possible.
- **Institutional Sponsorship Request Process and Timeline:**
    1. A pre-tenure faculty member may make a request for institutional sponsorship after their official start date at the College and ideally before the completion of their first semester of employment at the College. This request should be made in writing via email to the Provost, Department Chair, and Director of Human Resources.
    2. Upon receipt of the request for sponsorship, the Director of Human Resources will notify the Provost, Divisional Dean, Department Chair, and faculty member of the timeline by which the Steps 3 & 4 in this process (below) should be completed to preserve eligibility for the special handling labor certification process from the Department of Labor which must be filed within 18 months of hire (as indicated on the compensation agreement letter). This will be done via the *Permanent Residency Institutional Sponsorship Decision Timeline* form.
    3. Following completion of at least one full semester of employment at the College and by the date established in the timeline, the Department Chair will submit the *Departmental Feedback on Faculty Member requesting Permanent Residency Institutional Sponsorship* form to share the department's assessment of the faculty member's performance in areas considered for tenure with the Provost and faculty member.
    4. The Provost notifies the faculty member, Department Chair, and Director of Human Resources of their decision regarding institutional sponsorship in writing by the deadline established in the timeline.
    5. If a request is approved, the Director of Human Resources will work with the faculty member on the application process. Legal services for this process are identified and retained by the College. The employee is responsible for providing necessary information and documentation to the College-identified outside legal counsel in a timely manner.
    6. If an initial request is denied, the faculty member may make a second request for permanent residency application sponsorship to the Provost following a favorable pre-tenure review after receiving the review letter from the Faculty Review Committee.
  - **Fees:** The College will pay for the filing fees associated with the application and half of the attorney fees associated with the process. Additional fees for premium processing to expedite the approval will be the responsibility of the employee unless this is a necessity for College purposes. The faculty member will be responsible for the remainder of the attorney fees as well as any additional costs associated with filing for other family members. Faculty members will sign a retainer agreement with the designated law firm for these services.

## Permanent Residency Institutional Sponsorship Decision Timeline

In order to utilize the special handling labor certification process from the Department of Labor, the College seeks to complete the filing process for approved candidates within 18 months of hiring. The timeline below is established to provide adequate time for filing within this timeframe in cases approved by the Provost. This document outlines the timeline by which key steps in the institutional decision-making process need to be completed.

This document is completed by the Augustana Human Resources Office (ideally within two weeks) after receipt of a request for institutional sponsorship for permanent residency from a tenure-track faculty member and then shared with the faculty member, Department Chair, Divisional Dean, and Provost.

### Faculty Member Requesting Institutional Sponsorship

Name \_\_\_\_\_

Department \_\_\_\_\_

Department Chair \_\_\_\_\_

### Institutional Decision Timeline

\_\_\_\_\_ Date of Hire (taken from date on Compensation Agreement Letter)

\_\_\_\_\_ Date of Request by Faculty Member for Institutional Sponsorship

- This should occur after official start date and ideally before the completion of the first semester of employment at the College

\_\_\_\_\_ *Departmental Feedback Form* due to Provost

- This should occur following completion of at least one full semester of employment at the College

\_\_\_\_\_ Provost decision on institutional sponsorship due

## **Departmental Feedback on Faculty Member requesting Permanent Residency Institutional Sponsorship**

In reviewing requests for institutional sponsorship for permanent residency, the Provost will consider the department's feedback on the faculty member's performance and expected progress in areas considered for tenure. To provide that feedback, the Department Chair should complete this form in consultation with tenured members of the Department after completion of at least the first full semester of employment and by the date established in the *Permanent Residency Institutional Sponsorship Decision Timeline*. Completed forms should be sent to the Provost.

Faculty Member Name \_\_\_\_\_

Department \_\_\_\_\_

Department Chair \_\_\_\_\_

Date Submitted \_\_\_\_\_

Please provide information on the faculty member's performance in areas considered for tenure below. You should review your [Department and Program Expectations for Tenure and Promotion](#) with regard to expected progress at this stage in the faculty member's pre-tenure timeline. Depending on the situation, there may be less to share in the areas considered for tenure. In such instances, please frame your observations in terms of expected progress at this point and future plans.

**Teaching Effectiveness** - Provide information on performance that you have gathered through teaching observations, student feedback (both through conversations with students and IDEA form data), and conversations with the faculty member about their teaching.

**Professional Activity** - Provide information on performance in professional expression and engagement in professional development activities on and off campus. This may include progress in establishing research and scholarship lab/agenda on campus.

**Service to the College and the Community** - Provide information on any departmental, campus, or community service engagement (e.g., curriculum development, participation in recruitment efforts, engagement in community group, expressed interest in specific campus committees).

**Diversity, Equity, and Inclusion** - Provide information on contributions to diversity, equity, and inclusion. Key questions in this area include: How is a commitment to diversity, equity and inclusion apparent in the work at Augustana and how has one developed skills and abilities related to diversity, equity and inclusion?