

Applies to: (examples; Faculty, Staff, Students, etc)

Faculty , Staff , Students

Policy Overview:

Issued: 10-28-2015

Next Review Date: 06-10-2023

Frequency of Review: Every 3 Years

Interim Policy: 10/28/2015

Policy: 1/15/2018

This policy directs employment sponsorship, authority and decision making for the University.

Applies to employees of the University.

Details:

Section 1: Employment Eligibility

It is the policy of the University, in accordance with the Immigration Reform and Control Act of 1986 (IRCA), to hire only U.S. citizens and foreign nationals authorized to work in the United States. The University is a participating employer of the E-verify Program. All new employees require approval by the Department of Homeland Security (DHS) to determine eligibility to work in the United States.

All employees (faculty, staff, and student) will complete a form I-9 and produce acceptable documents within three days of starting work. Every effort will be made to have I-9 information completed by the start date.

Only authorized University personnel will complete the employer section of the form and verify documents. For faculty, staff and student positions this authorized person is in Human Resources. Human Resources may train other individuals, and delegate this responsibility, such as to a reciprocal network. A copy of presented documents will be kept with the I-9.

Human Resources will review all I-9 to ensure accuracy and follow up on missing information. Human Resources will coordinate use of E-Verify system including data entry. If follow-up is necessary Human Resources will communicate with the employee, monitor deadlines and determine if the matter has been resolved.

Information will be stored electronically in secure, password protected databases and systems separate from personnel files. Data may also be securely stored as physical records in Human Resources.

No employee will be allowed to work if I-9 information and E-Verify is not completed within three days. Notices that the University participates in E-Verify are posted in Human Resources and other places on campus that employment posters are posted.

Section 2: Sponsorship

The University strives to select a qualified, diverse workforce and does not discriminate based on citizenship. At times, an outstanding candidate for a position may require sponsorship from the University to obtain a visa (such as a J-1 research scholar, or H1-B specialty occupation) or permanent residency ("Green Card") to work for the University.

The appropriate dean or vice president will submit a written request for sponsorship of a visa or permanent residency to the President using the "Request for Sponsorship for Employment" form. The President will consult with the dean or vice president before committing University resources and making a final decision on sponsorship. Human Resources will retain records of decisions. The President may choose to delegate this decision authority.

Determination will be made on a case by case basis determined by a number of factors such as if the candidate is likely to be authorized to work in a timeframe necessary to do the job, and/or if funding is available to sponsor the candidate. Sponsorship for renewal of work authorization (such as H1B) is dependent upon the above factors as well as an evaluation of work performance including trajectory of promotion and/or tenure, such as information from annual reviews. Sponsorship for permanent residency will be based on the information above and, in the case of faculty, a positive third year review as described in the faculty bylaws. Sponsorship is typically not available for pharmacy residents, part-time or non-exempt staff.

The University will include language referencing our policy and any requirements in job offers to employees requiring sponsorship. For faculty, the University's stance on their sponsorship status will be restated in each reappointment letter. The employee will be notified of the results of the sponsorship determination (to support or not support) within 15 days of Human Resources receiving a decision on the Request for Sponsorship for Employment form.

Visa and permanent residency approval rests on the US government. The University's support for sponsorship does not guarantee that an employee will be granted work authorization or permanent residency.

Responsibilities:

<u>Position/Office/Department</u>	<u>Responsibility</u>
Deans and Vice Presidents	Submit form to request sponsorship of an employee. Include language referencing the policy in the offer letter to faculty.
Human Resources	Maintain records of determination associated with requests. Communicate to employees after the determination.

Policy Contacts:

<u>Name</u>	<u>Contact Information</u>
Dan Bauer, Assistant Vice President, Human Resources (CHRO)	314-446-8308, Daniel.bauer@uhsp.edu