

Why Create Procedures for H-1B and University-Sponsored Permanent Residency (PR)?

- 1) Rice has a history of attracting the best and the brightest faculty and staff. Oftentimes, this has taken us beyond our borders to find the right match, which requires supporting the proper visa status for employment.
- 2) The Vision for the Second Century (V2C) has increased Rice's visibility internationally, as well as called us to internationalize. A key component to internationalizing a campus is building an infrastructure that can respond to unique needs of foreign visitors.
- 3) The requests from Rice departments for: a) clarification as to the process, and b) the use of a procedure for the H-1B and PERM (university-sponsored PR has increased.
- 4) The Department of Labor (DOL) laws changed recently for PERM (university-sponsored PR), obligating the employer to greatly increased compliance and mandatory financial responsibilities.
- 5) The DOL has made a concerted effort to train (and document who they have trained!) on the new laws, as well as overall compliance requirements.
- 6) Lack of compliance could cause us to lose our ability to sponsor any employee on an H-1B or university-sponsored PR (PERM).
- 7) In July 2007, Provost Levy sponsored a Working Group to review the issues and make university recommendations. *

Examples of compliance and financial issues that Rice must address are:

- 1) The new DOL of 07/17/2007, which requires the employer to pay all PERM-related costs. These costs cannot be paid or reimbursed by the employee to the employer.
- 2) Better procedures for the H-1B public audit file requirement.
- 3) Clarification on procedures for the PERM audit file.
- 4) Who on campus is responsible for what piece (and risks) of the H-1B and PR process? Processing takes a "winding path" between the employee, hiring department, attorney's office, Human Resources, and the OISS. Processes change depending upon if the employee is:
 - a. Staff
 - b. Researcher, or
 - c. Faculty

AND applying for:

- d. H-1B, or
- e. Permanent Residency
 - i. Employer-sponsored
 - ii. Individual-sponsored

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