

**Permanent
Residency
Sponsorship
Approval**

PERMANENT RESIDENCY OVERVIEW

Permanent Residency, also known as the Green Card, is an immigrant visa status. There are many different paths to obtaining Permanent Residency, but The University of Alabama can petition for only specific employment-based categories.

CRITERIA FOR UA PERMANENT RESIDENCY SPONSORSHIP

In general, the University will sponsor Permanent Residence petitions for staff or faculty under the following conditions:

1. The candidate holds a permanent or tenured/tenure track position at The University of Alabama. "Permanent" is defined by immigration guidelines as employment that is intended to be of an indefinite or unlimited duration. In other words, the nature of the position is such that the employee will ordinarily have an expectation of continued employment.
2. The position demonstrates secured funding that is either regular in nature, or in the case of a grant-funded position, includes a reasonable expectation that funding will continue.
3. The candidate maintains a valid non-immigrant employment status while the application is being processed.

UA reserves the right to determine acceptable cases under employment-based categories where the long-term services of an employee are deemed to be in the best interests of the University and there are assurances of a long-term commitment on the part of both the employing department and the employee.

PERMANENT RESIDENCY CATEGORIES SPONSORED BY UA

The categories of Permanent Residency which The University of Alabama may sponsor as an employer are:

- EB-1: Outstanding Researcher/Professor;
- EB-2: Advanced Degree Holders;
- EB-2: Exceptional Ability in the Sciences, Arts, or Business; and
- EB-3: Professional or Skilled Worker

University employees whose circumstances foreclose using an employer-sponsored category may self-petition for PR through other categories such as Alien of Extraordinary Ability (EB-1) or the National Interest Waiver (EB-2). Employees in this situation are encouraged to consult with competent legal counsel about their individual situation before commencing proceedings under either of those categories.

Employees choosing either the EB-1 Alien of Extraordinary Ability or EB-2 National Interest Waiver paths to PR may ask supervisors for letters of reference for their petition. The employee's department should confirm that the PR petition is not signed or filed on behalf of the University by the employee in reliance on an existing or future position.

UNIVERSITY OF ALABAMA SELECT OUTSIDE IMMIGRATION COUNSEL

The University of Alabama uses select outside legal counsel for all employment-based, UA-sponsored Permanent Residency filings. University departments MAY NOT hire an immigration attorney to file a UA employer-sponsored PR petition without approval of the sponsorship using this form. Departments with questions about the retention of immigration counsel to represent the University in the filing of an employer-sponsored PR petition may contact Capstone International Services.

Armstrong Law
2220 University Blvd.
Tuscaloosa, AL 35401
carmstrong@adgloballaw.com
205-210-4713

Ware|Immigration
4000 Eagle Point Corporate Dr.
Birmingham, AL 35242
www.david-ware.com/Contact.shtml
866-833-8308

**Permanent
Residency
Estimated Costs**

SPECIAL HANDLING PROCESS FOR TEACHING POSITIONS - ESTIMATED ATTORNEY & FILING FEES

SERVICE OFFERED	ATTORNEY LEGAL FEE	FILING FEE/COSTS
SPECIAL HANDLING LABOR CERTIFICATION (FOR TEACHING POSITIONS)	\$2000 *	Advertising Costs *
I-140 FILING BASED ON LABOR CERTIFICATION	\$2500 **	\$700 **
I-485 ADJUSTMENT OF STATUS	\$1500 *** (+ \$750 Per Dependent)	\$1225 per applicant *** (\$750 per child under age 14)
COST TO UA DEPARTMENT	\$2000 - \$5200	
COST TO INTERNATIONAL FACULTY MEMBER	\$2725 - \$5950 (for faculty member) \$1975 (for spouse and/or children between 14 and 21) \$1500 (for children under 14) (+ Civil Surgeon Fees - \$200-\$300 per person)	

STANDARD LABOR CERT FOR NON-TEACHING POSITIONS - ESTIMATED ATTORNEY & FILING FEES

SERVICE OFFERED	ATTORNEY LEGAL FEE	FILING FEE/COSTS
STANDARD LABOR CERTIFICATION (FOR NON-TEACHING POSITIONS)	\$3000 *	Advertising Costs *
I-140 FILING BASED ON LABOR CERTIFICATION	\$2500 **	\$700 **
I-485 ADJUSTMENT OF STATUS	\$1500 *** (+ \$750 Per Dependent)	\$1225 per applicant *** (\$750 per child under age 14)
COST TO UA DEPARTMENT	\$3000 - \$6200	
COST TO INTERNATIONAL STAFF MEMBER	\$2725 - \$5950 (for faculty member) \$1975 (for spouse and/or children between 14 and 21) \$1500 (for children under 14) (+ Civil Surgeon Fees - \$200-\$300 per person)	

**EB-1 OUTSTANDING RESEARCHER/PROFESSOR & EB-2 EXCEPTIONAL ABILITY CASES
ESTIMATED ATTORNEY AND USCIS FILING FEES**

SERVICE OFFERED	ATTORNEY LEGAL FEE	FILING FEE/COSTS
I-140 FILING BASED ON EB-1 OR EB-2 EXCEPTIONAL ABILITY	\$4000 - \$6000 **	\$700 **
I-485 ADJUSTMENT OF STATUS	\$1500 *** (+ \$750 Per Dependent)	\$1225 per applicant *** (\$750 per child under age 14)
COST TO UA DEPARTMENT	\$0 - \$6700	
COST TO INTERNATIONAL FACULTY/STAFF MEMBER	\$2725 - \$9425 (for faculty member) \$1975 (for spouse and/or children between 14 and 21) \$1500 (for children under 14) (+ Civil Surgeon Fees - \$200-\$300 per person)	

* Labor Certification Attorney and Advertising Costs are entirely the responsibility of UA as the employer and must be paid by the sponsoring department/college.

** The I-140 filing is a UA-Filed Petition, meaning that The University of Alabama owns the petition. The I-140 Direct Filing Fees and Attorney Fees may be paid either by the sponsoring department/college, by the employee, or by both.

*** I-485 Attorney Fees and Filing Fees for the employee and dependents are the responsibility of the employee.

**Permanent
 Residency
 Sponsorship
 Approval**

To begin sponsorship of a faculty or staff member for Permanent Residency at The University of Alabama (UA), sponsorship must be approved. Approval is required for all UA supported permanent residency applications as follows:

1. **Faculty Sponsorship Approval:** Chair > Dean > Provost > International Services > UA General Counsel
2. **Staff Sponsorship:** Chair/Director > Division Head > HR Director > International Services > UA General Counsel

After the PR Sponsorship is approved, the Chair/Director selects Outside Counsel (either Armstrong Law or Ware Immigration) to represent UA. Outside Counsel will consult with the department and faculty/staff member to determine the appropriate path for PR sponsorship and to also delineate fee responsibilities between the department and faculty/staff member. Outside Counsel will then submit engagement contract to Chair/Director and UA General Counsel.

Outside Counsel processes all PR Paperwork in close conjunction with sponsoring department. At the point of filing of the I-140, the Director of International Services will sign G-28 forms, the I-140 (and I-907 as applicable), as well as the Labor Certification.

SPONSORED EMPLOYEE DETAILS

1. Employee Name : _____
2. Position Title/Academic Rank : _____
3. Employee Classification (e.g. H1 Reg FT Staff, I1 Fac RFT 9/12, etc. – see the Faculty/Staff Definition and Employee Class Code chart under the Benefits Matrix on page 3 of the [HR Benefits Guide](#)): _____
4. CWID: _____ 5. Hiring Requisition #: _____
6. Is this a tenure accruing or permanently-funded position: Yes No
7. If the position is not tenure accruing or permanent, what is the nature of the funding for the position and expectation of continuance of funding (e.g. 1-year contract extensions with expectation of indefinite continuation of funding):

REQUIRED APPROVALS

1. Department Chair/Director Signature: _____ Date: _____
 Name and Title of Department Chair/Director: _____
2. Dean/Division Head Signature: _____ Date: _____
 Name and Title of Dean/Division Head: _____
3. Provost/HR Director Signature: _____ Date: _____
 Name of Provost/HR Director: _____
4. Capstone International Services Director Signature: _____ Date: _____
 Name of Capstone International Services Director: _____
5. UA General Counsel Signature: _____ Date: _____
 Name of UA General Counsel: _____

UA Sponsoring Department Initiates Sponsorship

1. Chair/Director Confirms Budget & Signs Sponsorship Form
2. Dean/Division Head Confirms Budget & Signs
3. Provost /HR Director Reviews Classification Eligibility & Signs
4. International Services Reviews & Signs
5. UA General Counsel Reviews & Finalizes Approval to Pursue PR

After PR Sponsorship is approved by UA General Counsel

UA Sponsoring Department selects
Outside Counsel

Armstrong Law or
Ware|Immigration

Outside Counsel:

1. Determines best path for PR
2. Draws up contract/engagement letter, spelling out the agreed costs and fee responsibilities of UA Department and Employee
3. Submits contract/engagement letter to UA General Counsel for final approval

Outside Counsel processes all PR Paperwork in close conjunction with UA Sponsoring Department and Employee.

At the point of filing of the I-140, International Services will sign G-28 forms, I-140 and I-907 (as applicable), as well as the Labor Certification (as applicable). Documents of filing will be retained in CIS.