

August 22, 2005

MEMORANDUM

To: Dean, Directors, and Department Heads

From: Juan A. Jarrett
Assistant Vice Chancellor for Human Resources

Subject: Applications for Permanent Resident Status

The United States (US DOL) Department of Labor has implemented recent changes to the application process for permanent resident status. The changes by the US DOL were made to support electronic processing, verification and approval of labor certification applications (ETA Form 9089) for permanent resident alien status ('Green Card'). Prior to these changes, the Amherst campus advised staff and non-tenure track employees seeking permanent legal residence status to hire appropriate legal counsel to complete the necessary applications for permanent legal resident status. The campus would work with these firms and sign off on any wage or labor data certification for the application process. However, due to the changes in the application process, the campus will no longer complete the employment certification applications for staff and non-tenure track employees who have hired their own attorneys to complete the application process.

This new policy will be in effect for all employer sponsored green card applications, including outstanding professor and researcher category. Human Resources will no longer sign the I-140 Immigration Petition for Alien Worker unless the petition is completed by the University's retained counsel. The International Programs Office (IPO) will continue to do Permanent Residency Applications for Tenure Track Faculty.

Departments that employ non-resident employees seeking permanent legal status will now be required to sponsor the employee's application and be willing to pay for the application process using the University's retained counsel to process the application. If you have questions about sponsoring an application for permanent resident status please contact either Nancy Condon in the International Programs Office (545-2843) or Margaret March in Total Compensation (545-6129).