

HIRING OF A FOREIGN NATIONAL APPLICANT

A foreign national is a person who is not a U.S. citizen and is not a permanent resident of the United States. Many foreign nationals will need UW-La Crosse to file an employment based immigration petition so they can work at UW-La Crosse. UW-La Crosse sponsors and assists its tenure-track faculty with H-1B and employment based permanent residency so long as the position, the recruitment and the faculty member are eligible for the petition.

When hiring a foreign national, there are additional steps the search and screen committee must take to document that a fair and comprehensive national recruitment was completed. As part of the US Department of Labor's (DOL) permanent labor certification process (which leads toward permanent resident status), the DOL reviews our recruitment efforts and the qualifications of the person hired, relative to the advertised duties and qualifications.

The search and screen committee and the hiring authority must agree to and prepare the following documentation for a foreign national who is hired into a tenure track faculty position:

- Verification of the hiring college's approval for the fees for the H-1B and permanent residency petition.

Specific DOL §656.18 requirements

- **(1)** A statement, signed by an official who has actual hiring authority from the employer outlining in detail the complete recruitment procedures undertaken; and which must set forth:
 - (i)** The total number of applicants for the job opportunity;
 - (ii)** The specific lawful job-related reasons why the alien is more qualified than each U.S. worker who applied for the job; and
- **(2)** A final report of the faculty, student, and/or administrative body making the recommendation or selection of the alien, at the completion of the competitive recruitment and selection process;
- **(3)** A copy of at least one advertisement for the job opportunity placed in a national professional journal, giving the name and the date(s) of publication; and which states the job title, duties, and requirements; *[HR's placement of the web based ad on the Chronicle website satisfies this requirement.]*
- **(4)** Evidence of all other recruitment sources utilized; and

- **(5)** A written statement attesting to the degree of the alien's educational or professional qualifications and academic achievements.

UW-La Crosse is partnering with UW-Madison's International Faculty and Staff Services office to provide you with the best immigration support possible. If you have questions, please contact Krystal Juve at 608-785-8013 or Nic Hauge at 608-265-2257.