

Policy Statement 3.29.00
Coordinated By: Business Affairs

Effective: September 1, 2019

Sponsorship of International Employees

- I. Purpose:** This policy supplements Permanent Memorandum 26 by defining campus procedures for the sponsorship of international employees, researchers, and permanent residence.
- II. Definitions:**
- A. **H-1B:** The H-1B is a visa in the United States under the Immigration and Nationality Act, section 101 that allows U.S. employers to temporarily employ foreign workers in specialty occupations. A specialty occupation requires the application of specialized knowledge and a bachelor's degree or the equivalent of work experience. The duration of stay is three years, extendable to six years; after which the visa holder may need to reapply.
 - B. **J-1:** The J-1 visa is a non-immigrant visa issued by the United States to research scholars, professors and exchange visitors participating in programs that promote cultural exchange, especially to obtain medical or business training within the U.S. All applicants must meet eligibility criteria, English language requirements, and be sponsored either by a university, private sector or government program.
 - C. **OPT:** Post-Completion **Optional Practical Training** is temporary work authorization, for a job related to the field of study, available to international students in F-1 status who completed degree requirements to graduate from a US higher education.
 - D. **TN:** The TN nonimmigrant classification permits qualified Canadian and Mexican citizens to seek temporary entry into the United States to engage in business activities at a professional level. It may be renewed indefinitely.
 - E. **Permanent Residency:** A Permanent Resident Card, also known as a Green Card or Alien Registration Card is a card issued to foreign nationals as evidence of their lawful permanent residence status in the United States. Unlike H-1B, J-1, and OPT it is not employer dependent.

III. Responsibilities:

- A. **LSUS Director of Human Resource Management:** Per PM 26, the Director of HRM has approval authority for all matters and documentation pertaining to international employees and visitors including, but not limited to recruitment, offers of employment, support letters for immigration related benefits, compensation, and reimbursement. The Director of HRM is designated by the Chancellor as the sole individual authorized to sign official immigration documents. The Director of HRM establishes administrative procedures for processing of immigration related actions.
- B. **Vice Chancellor Academic Affairs:** Review and approves requests from Deans for sponsorship of international employees, including requests for Permanent Residency.
- C. **Deans:** Review requests for sponsorship of international employees including permanent residency.
- D. **Department Chairs:** Ensure that recruitment of international faculty is conducted in accordance with LSUS Policy Statement 2.16.01. Initiate requests for H-1B and Permanent Residency in accordance with procedures in this policy.

IV. Campus Procedures

- A. **Offer Letters:** The template at Appendix 1 should be used to prepare Offer Letters for internationals. No deviations from this template will be made without approval from the Director of Human Resource Management
- B. **H-1B:** It is extremely important that hiring departments allow sufficient time between the job offer to a foreign national and the start date of the employment so as to allow for the completion of the H- 1B visa process. USCIS takes three to six months to process an H-1B petition. This makes it essential to identify the need for H-1B sponsorship early on in the hiring process.

Upon determination of the need for H-1B sponsorship by the Department Chair, the LSUS Request for H-1B (Appendix 2) should be submitted through approval channels to the LSUS Office of Human Resource Management.

All costs associated with an H-1B petition are the responsibility of the hiring department.

- C. **J-1:** Responsibility for administration of the LSUS J-1 Program has been delegated to the Director of Sponsored Research and Technology Transfer. An Offer Letter for all J-1 scholars will be created using the template at Appendix 3.

- D. **OPT:** Post completion Optional Practical Training (OPT) allows a recent graduate to work for up to 12 months while remaining in student (F-1) status. (2 years for STEM positions). Requests for OPT authorization are initiated with the institution where the international attended. Thus, it is well suited to serve as work authorization in situations where insufficient time exists to process an H-1B petition.

- E. **TN:** Departments wishing to hire based on a TN Visa should contact the Director of Human Resource Management prior to making a job offer.

- F. **Permanent Residency:** Per PM 26, it is the policy of LSU to sponsor for permanent residence only those employees whose positions are full time and permanent in nature (expected to last minimum of three years) and who possess exceptional and/or outstanding ability or who are the most qualified. Accordingly, only tenure track faculty will be considered for permanent residency unless otherwise approved by the Chancellor.

Requests to begin the Permanent Resident process will be made using the Request Form at Appendix 4. Requests should not be made prior to completion of at least one academic semester. Exceptions to this must be approved by the Vice Chancellor Academic Affairs.

Employer costs for a request for Permanent Residency are the responsibility of the hiring department.

APPROVED

Barbie Cannon, Vice Chancellor Business Affairs

Date

Lawrence Clark, Chancellor

Date

APPENDIX 1: International Employee Offer Letter Template
Found at: [International Employee Offer Letter](#)

Date:

Name:

Street

City, State ZIP

Dear _____:

It is my pleasure to confirm our offer of employment to you as a 9-month, tenure-track Assistant Professor in the Department of _____, contingent upon your ability to acquire work authorization. Your appointment is subject to the maximum allowable period as provided by regulation of the U. S. Citizenship and Immigration Service. This employment may be extended. In this position, you will report directly to Dr. _____, Chair, Department of _____. This offer is effective _____ with an academic salary of \$ _____ annually plus a one-time payment of \$ _____ for moving expenses which will be considered taxable income. You may be eligible for additional compensation for teaching summer school courses. Summer school employment is not guaranteed.

Your responsibilities will include teaching, research and service commitments. The daily/hourly work schedule may vary but it will be similar to the schedules worked by similarly situated U.S. workers as monitored by the Department Head.

You are explicitly informed by this letter, and acknowledge your agreement by your signature below, that your employment in this position will be "employment at will" pursuant to the laws of the State of Louisiana. This means that your employment may be terminated by Louisiana State University in Shreveport (LSUS) without just cause and at the sole discretion of LSUS and the Board of Supervisors of the LSU Administration at any time. Your signature below acknowledges that you accept this employment on these terms, notwithstanding the fact that various applications and petitions filed with the U.S. Citizenship and Immigration Service (USCIS) and the U.S. Department of Labor (DOL) refer to a specific term of employment. It is acknowledged by and between LSUS and you that the statement of a specific term of employment to the USCIS and DOL is a matter of administrative necessity and not a reflection of a contract of employment for a particular term.

Furthermore, by signing below, you acknowledge that it is your responsibility to pursue your right to work, and/or permanent citizenship. Please read LSU System Permanent Memorandum 26, which outlines the LSU system policy on International Employees and Visitors. PM 26 can be accessed through our Faculty/Staff page on the www.lsus.edu. It is attached for your

convenience. LSUS is not responsible for educating or notifying international employees of their rights and responsibilities for securing citizenship.

This offer is made subject to final approval of the University Administration and the LSU Board of Supervisors. If you accept this offer, please sign, date, and return one copy of this letter. Please include your social security number.

An official copy of your transcript for your highest degree earned must be submitted to LSU Shreveport Department of Human Resources prior to the commencement of your employment.

Please note that proof of dependency (i.e., certified copies of marriage license and birth certificate) will be required within thirty days of the commencement of employment for any dependents you wish to cover on health insurance.

Sincerely,

Dr. _____
Chair
Department of

APPROVALS:

Dr. XXXXX Dean, College of XXXXX	Dr. XXXXX Provost/VC Academic Affairs	Name Vice Chancellor, Business Affairs
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Name Chancellor	Name Affirmative Action Officer
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I accept the offer as stated above. My current retirement status is:

- _____ Not a member of any State of Louisiana retirement system
- _____ Active with _____ System
- _____ Retired with _____ System
- _____ Retired with _____ System

Signature	Date	Social Security Number
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APPENDIX 2: LSUS Request for H-1B

Found at: [LSUS Request for H-1B](#)

Appendix 3: Offer Letter Template for (gratis) J-1 Visiting Scholars

Found at: [J-1 Offer Letter Template](#)

Appendix 4: Request for Permanent Residency

Found at: [Request for Permanent Residency](#)