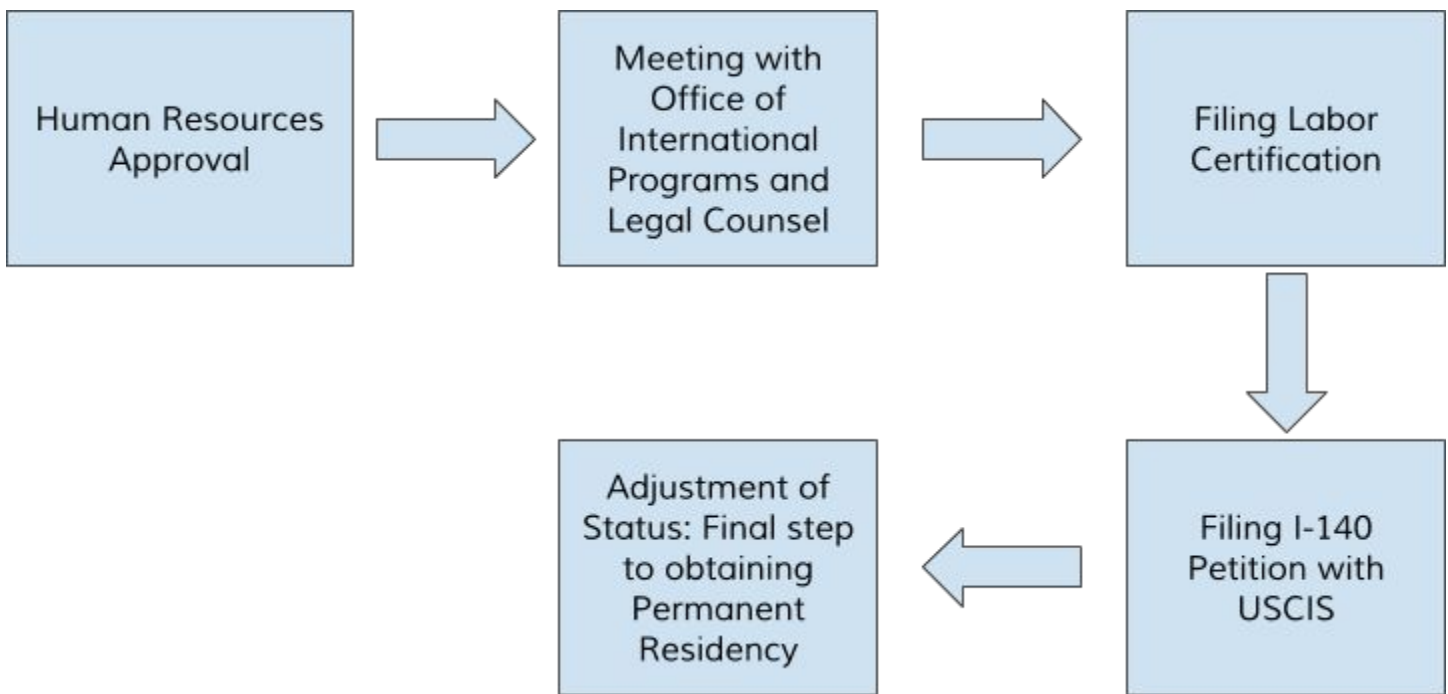


Permanent Residency Roadmap

University of Mississippi – Office of International Programs

There are several factors that determine how long it takes to obtain U.S. permanent resident status. A department may initiate the process as early as it wishes and for teaching positions, starting early may avoid the costs associated with a reselection process and review. Beginning the process within nine months from the offer date on the Provost's letter is recommended. Generally, it is advisable for the employee to maintain a status such as H1b throughout the entire process and to have either a labor certification or I-140 filed by the end of the 5th year of H1b status.

A summary of the steps in the Permanent Residency process are outlined below:



1) HUMAN RESOURCES APPROVAL

To begin the Permanent Residency process, the employee's department must contact MeMe Mullen in Human Resources (mmullen@olemiss.edu) to request that the University sponsor a Permanent Residency petition on the employee's behalf. Human Resources must check to see that the employee's position is a full time permanent position at the university. If the position is not permanent or if the funding source for the position is from grants or outside funds, Human Resources may not approve the sponsorship. When Human Resources approves the request to begin the Permanent Residency petition, they will contact the Office of International Programs. Departments may use the following form as a template:



The University of Mississippi

Interoffice Memorandum

DEPARTMENT OF HUMAN RESOURCES

Paul B. Johnson, East
University, MS 38677

Phone: (662) 915-7431 Fax: (662) 915-5836

TO: Mr. Clay Jones, Director of Human Resources
FROM:
DATE:
SUBJECT: HR Approval for US Lawful Permanent Residence

Employee's name, job title, length of employment.

Reason/reasons for supporting petition.

Department Approval: ___ Approve ___ Disapprove

Print Name _____ Date _____

Title (Chair, Director) Department

(After department approval, please forward to Dean's Office)

Dean's Approval: ___ Approve ___ Disapprove

Print Name _____ Date _____

Title (Dean) School

(After Dean's approval, please forward to Provost's Office)

Provost's Approval: ___ Approve ___ Disapprove

Print Name _____ Date _____

Provost and Vice Chancellor Academic Affairs

(After Provost's approval, please forward to Human Resources)

2) MEETING WITH OFFICE OF INTERNATIONAL PROGRAMS AND LEGAL COUNSEL

After the Office of International Programs has received approval to proceed with the Permanent Residency application, the employee must submit the following documents to OIP:

- A current resume or CV
- Approval notices and documentation of past visa statuses
- An offer letter from the department
- A copy of the job posting for the position, including posting locations/times

OIP will arrange a meeting with the international employee, the department, and outside legal counsel, Ware | Gasparian.

The meeting is important to establish the requirements and documentation for both the department and the international applicant. Legal counsel will outline the process, costs for the department, and recommended strategy to the employee and the department at this time.

3) FILING LABOR CERTIFICATION

If it is determined that the best option for filing is either EB-2 Advanced Degree Holders, EB-2 Exceptional Ability in the Science, Arts, or Business, or EB-3 Professional or Skilled Worker, a labor certification will be required. Labor certification is a process by which outside legal counsel submits to the Department of Labor specific information about both the job-requirements as well as the advertising and search process that the department used to fill the position which the international employee holds. For the EB-2 and EB-3 categories, our legal counsel must have the Department of Labor's approval before the I-140 Petition can be sent to US Citizenship and Immigration Services.

4) FILING I-140 PETITION WITH USCIS

The I-140 is the petition filed with the U.S. Citizenship and Immigration Service. The attorney will send instructions to the department, employee and Office of International Programs regarding supporting documents needed. In cases requiring a labor certification, this step will not happen until the labor application is approved. At the time that legal counsel is filing the I-140, the employee must choose whether he/she wishes to seek Adjustment of Status to Permanent Residency within the United States or to Consular Process, which requires the international employee to interview at a U.S. Embassy or Consulate for the final approval of the Permanent Residency.

5) ADJUSTMENT OF STATUS: FINAL STEP TO OBTAINING PERMANENT RESIDENCY

To adjust status to Permanent Residency within the United States, the international employee and each family member included in the petition must file a form I-485, Application to Register Permanent Residence or Adjust Status. To do this step, the applicant's priority date (based on the date of the labor certification or I-140 filing) must be current. In some cases it is possible for the applicant to file the I-485 concurrently with the University's I-140 Petition. The attorney will send instructions regarding supporting documents and the required medical exam.

Fees associated with PR petitions

	LABOR-BASED		TALENT-BASED		Paid by
	Teaching Position	Non-Teaching Position	"Outstanding Professor/Researcher (as defined by USCIS)		
ATTORNEY FEES					
Labor Certification Form 9089 - Application for Permanent Employment Certification	\$2,000	\$3,000	n/a	Hiring Unit	
Additional fee if re-recruitment for position is required	\$500	n/a	n/a	Hiring Unit	
Additional fee if audited by Department of Labor (DOL)	\$1,000	\$1,500	n/a	Hiring Unit	
I-140 USCIS Immigrant Petition for Alien Worker	\$2,500	\$2,500	\$7,000	Either the Hiring Unit or the employee, or shared	
I-485 USCIS Application to Register Permanent Residence or Adjust Status	\$0 - \$1,500	\$0 - 1,500	\$0 - 1,500	Traditionally Employee Can choose to complete forms independently or with attorney (W/G)	
FILING FEES					
Form I-140 USCIS Immigrant Petition for Alien Worker	\$580	\$580	\$580	Either Hiring Unit or employee, or shared	
Form I-485 USCIS Application to Register Permanent Residence or Adjust Status	\$1,070	\$1,070	\$1,070	Traditionally Employee	
ADDITIONAL COSTS					
Job Advertisement, if needed	Varies	Varies	n/a	Hiring unit	
Medical Exam (Required at I-485 stage)	Varies	Varies	Varies	Traditionally Employee	