

Permanent Residence Packet Permanent Labor Certification

Immigration Services	Marialice Shary Shivers [MASS] Building 1201 University Drive, Edinburg, Texas 78539	Tel : (956) 665-3021 Fax : (956) 665-7209	Web : UTRGV HR Email : alberto.castillo@utrgv.edu
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This Packet Contains The Following Forms :

Department Request For Permanent Residence Petition Checklist	2
Department Request For Permanent Residence Filing	3
Immigration Services Fee Sheet [PR Permanent Labor Certification]	4
Department Questionnaire	5
Department Recruitment Report	6
Department Certification	8
Employee Information [Permanent Residence]	9
Employee Questionnaire and Family Checklist	10

The Department is responsible for completing all 'Department' forms and providing the required supporting documents. The Employee is responsible for completing all 'Employee' forms and providing the relevant supporting documents. Answer all questions, even if the answer is 'N/A' or 'None'. Incomplete questionnaires will delay Immigration Service's ability to do your filing in a timely fashion. Thank you for your cooperation in ensuring that the permanent residence filing process goes smoothly, by completing the forms in full and providing all documents requested.

The entire Permanent Residence packet, when completed and signed by the Provost's Office, must be forwarded to the Immigration Services Manager at Human Resources. If you have any questions about the Forms or the Checklists, please contact us by email at alberto.castillo@utrgv.edu

SERVICE	USCIS DOL FILING FEE(S)
PERM [Teaching Positions]	None
PERM [Non-Teaching Advanced Degree Professional]	None
PERM [Skilled Worker - Bachelor's Degree or Less]	None
Outstanding Professor / Outstanding Researcher [I-140]	\$580.00
Persons of Extraordinary Ability [I-140]	\$580.00
National Interest Waiver [NIW I-140]	\$580.00
I-140 Petition [for PERM filings only]	\$580.00
I-485 Bundle* [ages 14 years to 79 years]	\$1070.00
I-485 Bundle* [under 14 years or over 79 years]	\$600.00
Premium Processing [I-140 Petitions Only]** OPTIONAL	\$1225.00
* I-485 Bundle is a USCIS flat fee that includes : <ul style="list-style-type: none"> ▪ Biometrics ▪ I-765 [employment authorization] ▪ I-131 [travel document] 	

Department Request For Permanent Residence Petition Checklist

Please ensure that all of the following documents are included to avoid delays.

ONLY ONE PHOTOCOPY OF EACH DOCUMENT, UNLESS OTHERWISE INDICATED, IS REQUIRED.
PLEASE DO NOT SEND MORE THAN ONE CLEAR PHOTOCOPY.

Complete PR Packet Request with all questions answered.

Copy of Department offer letter and employment contract

Filing Fees Check if applicable

Copy of Search Committee Report and resumes received [teaching faculty positions only]

Copies of all print or website ads, physical postings and additional recruitment efforts [teaching faculty positions only]

Depending on the foreign employee's country of citizenship or nationality, there may be a delay before the I-485 can be filed. Employees so affected should regularly review the Department of State's monthly Visa Bulletin to determine when they can file the I-485 application(s).

The Visa Bulletin can be found at <https://travel.state.gov/content/visas/en/law-and-policy/bulletin.html>.

The Department is not required to pay the legal or filing fees related to the I-485 portion of the process for either the employee or the employee's family members. However, if the Department chooses to do so, they should properly annotate the Fee Sheet. However, because the I-485 fees are considered to be a 'non-business' expense, there are tax consequences to the employee and department if the department pays the I-485 fees:

- If the employee is considered a non-resident alien for US income tax purposes, there is a 30% tax withholding requirement for the I-485 payment. Therefore, we are required to 'gross up the department's I-485 payment by 30% to cover the tax liability. The department cost center will then be charged this amount.
- If the employee is considered a resident alien for US income tax purposes, the department's I-485 payment will have to be reported as 'income' on the employee's W-2 form. There may be tax consequences to the employee as a result of this payment. However, because the employee is required to report the income on their personal 1040 filing we cannot assess how great the tax liability will be. It could be offset by the employee's personal deductions but, as each 1040 filing is personal, a reliable estimate of the tax assessment is impossible.

USCIS filing fees are needed only when the Permanent Labor Certification Application is approved by DOL. I-140 USCIS form fees (\$580) only when the USCIS filings occur to avoid stale-dating of checks.

The University of Texas Rio Grande Valley is required to maintain a public record (i.e. audit review file) showing evidence of all recruitment efforts made for each permanent labor certification filed.

A record of this information must be maintained by Immigration Services for 5 years from the date of the permanent labor certification filing.

Documents relating to the recruitment must be given to Immigration Services at Human Resources before a permanent labor certification is filed.

Department Request For Permanent Residence Filing

Name of Department | School :

Name of Foreign Employee :

Type of Permanent Residence Filing Requested :

Labor Certification [PERM] Processing

Outstanding Researcher / Outstanding Professor

Person of Extraordinary Ability

National Interest Waiver

Department Certification

THE DEPARTMENT / SCHOOL CERTIFIES THE FOLLOWING :

1. The Department/School and the Foreign National are not undertaking this filing solely to obtain permanent residence for a temporarily employed foreign faculty member. Rather, the Department/School and the Foreign National intend that the faculty member will remain indefinitely employed with The University of Texas Rio Grande Valley.
2. The Department/School and the Foreign National will work closely with Immigration Services to assemble all the required documentation necessary for successful conclusion of the permanent residence process.
3. The Department/School will pay all Immigration Services processing fees and a clear, mutual agreement has been reached between the Department/School and Foreign National as to the payment of USCIS filing fees.

Chairperson Signature

Chairperson Printed Name

Date

Authorization of the Dean and Provost

I HEREBY AUTHORIZE AND FULLY SUPPORT THE APPLICATION FOR PERMANENT RESIDENCE ON BEHALF OF

Dean Signature

Dean Printed Name

Date

Provost Signature

Provost Printed Name

Date

Immigration Services Fee Sheet [PR – Permanent Labor Certification]

Employee Name :

UTRGV Department Name :

UTRGV Department Contact Name :

UTRGV Department Contact Phone Number :

UTRGV Department Address :

Immigration Service Requested :

Academic Evaluation Fee** :

USCIS I-140 Fee :

USCIS I-485 Fee [Employee] :

USCIS I-485 Fee [Family Dependents] :

USCIS Additional Fee(s) :

USCIS Premium Processing Fee :

Total Fees Due :

Account Number(s) To Be Charged :

Authorization of the Supervisor and Chairperson

By signing this form, I agree that I confirm that I have signature authorization for the Account # listed above. I have offered the named employee the position of employment indicated above effective now or immediately upon employee's receipt of approval of the immigration status requested. I indicate that I support the sponsorship for the individual names above and that I agree to pay for any and all advertising costs indicated to be necessary by HR Recruitment and Immigration Services, consistent with Dept. of Labor regulations for permanent labor certification applications. I also authorize payment of the amount indicated above. Should employment be terminated or the job duties/title/salary change significantly, I will ensure that Immigration Services is notified before this happens. Finally, should outside counsel be involved in this matter, authorization is given for the General Counsel or his/her designee, to approve check requests in payment for outside legal expenses to the department's account #.

Supervisor Signature

Supervisor Printed Name

Date

Chairperson Signature

Chairperson Printed Name

Date

Department Questionnaire

Employee Name :

UTRGV Department Name :

UTRGV Department Contact Name :

UTRGV Department Contact Phone Number :

UTRGV Department Email Address :

Country of Citizenship :

Country of Birth :

Job Title :

Academic Degree Required for Position :

Minimum Experience Required [in years] :

Brief Non-Technical Description of Duties :

Work Site Address and P.O. Box Number :

Annual Salary OR Hourly Wage Rate :

Employee Provided a Written Offer of Employment?

Is this a Teaching Position?

Was a Recruitment Effort undertaken?

Complete For Teaching Faculty Only

List all advertising vehicles used and dates the advertisements ran.
Include copies of all print ads, website ads, and physical postings.

Examples :

Chronicle of Higher Education, 01/01/2016

UTRGV Website 01/01/2016-03/01/2016

Were other recruitment efforts undertaken [i.e. employee referral programs, intranet postings, Department placement office, job fairs, third-party recruiters, state unemployment office, etc.]?

State and provide copies of all additional efforts and dates undertaken

Recruitment Report for Teaching Position

Please only complete for Special Handling PERM applications for teaching faculty. If filing PERM for a regular staff position, Immigration Services advisor will provide this information to you at a later date post-recruitment.*

Please provide a written statement as to the results of each of the advertisement avenues undertaken. Specifically state:

1. Place and date of each advertisement, posting (whether print or internet)
2. Whether any resumes were received from US workers as a result of the advertisement;
3. Whether any of the US worker applicants were interviewed;
4. Please use the attached Recruitment Chart to state why the foreign employee was more qualified than the US workers who applied. If you had a large volume of applicant (more than 30) you can list only the names of the applicants who were actually interviewed (either on or off campus).
5. Please also include a copy of the Search Committee Report and resumes received for the position filled.

EXAMPLE:

We received 97 applications for the position of Assistant Professor. Our search committee rejected applicants for a variety of reasons mainly relating to lack of relevant academic degree, incomplete applications, poor references, non-complementary research interests. Fifteen (15) applicants warranted further interview and information about the recruitment process as it pertained to those 15 applicants is in the Recruitment Chart below:

Name of Applicant	U.S. Worker	Reasons Why U.S Worker Was Not Best Qualified
Jane Doe, PhD	Not Asked	High salary demand; incompatible research interests
John Doe, PhD	Not Asked	Offered position but declined
J. Doe, PhD	Not Asked	Poor oral presentation; difficult to follow, led to concerns about

Recruitment Report for Teaching Position [continued]

Job Title :

UTRGV Department :

Number of Resumes Received :

Name of Applicant	U.S. Worker	Reasons Why U.S Worker Was Not Best Qualified
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Department Certification

Employee Name :

UTRGV Department :

1. The salary being paid to the above named employee is at least the **actual wage** being paid to all other individuals with similar experience and qualifications for the specific employment in question OR the **prevailing wage** level for the occupation in the area of employment, whichever is higher.
2. The fringe benefits offered to this employee are equivalent to that offered to other US workers similarly employed.
3. Employing this person will not adversely affect the working conditions of US workers similarly employed.
4. There is no strike, lockout, or work stoppage due to labor dispute in this occupation.
5. Department agrees to post notice of the Permanent Residence Filing in a conspicuous places in the place of business [employment office and common business posting area are advised]. The posting will remain posted for at least 10 consecutive business days. After that time period has passed, the posting will be removed, completed as to the period posted and a copy sent to Immigration Service.
6. Department agrees that Employee is being offered a permanent position, in that an indefinite period of employment is contemplated and employment will be of greater duration than one year.
7. Department fully understand that any willful violation connected with providing inaccurate information may incur a severe penalty from the Department of Labor or Department of Homeland Security which will have a long-range impact on Department's business, future recruitment practices and hiring of foreign nationals.

Authorized Department Head Signature

Authorized Department Head Printed Name

Date

Employee Information [Permanent Residence]

Please ensure that all of the following documents are included to avoid delays in filing the Permanent Residence petition.

ONLY ONE PHOTOCOPY OF EACH DOCUMENT, UNLESS OTHERWISE INDICATED, IS REQUIRED.
PLEASE DO NOT SEND MORE THAN ONE PHOTOCOPY AND MAKE SURE THAT THE COPY IS CLEAR.

Required Documents

Fully completed Employee Questionnaire and Employee Family Questionnaire if relevant.

Curriculum vitae [CV]

Last diploma received [PhD/Masters/Baccalaureate] and transcripts

Certified English translation of diploma and transcripts

Academic credential evaluation, for non-US degree(s) [see below]

Citations list the summary of article/journal/publication where your work has been cited

Evidence of prior work experience [if required for position] in the form of employment letters

Statement of research demonstrating your work in the field [written in simple English using layman's technology]

Current passport biographical data page

Current passport page showing passport expiration date

Current US non-immigrant visa [if physically present in U.S.]

Current I-94 card [front and back]

All Forms I-797 [USCIS approval of previous applications or petitions relating to your status in the U.S.]

If Applicable Documents

Copy of I-612 approval notice showing §212(e) waiver

Copy of all IAP-66 and DS-2019 documents

Copy of all I-20 documents

Copy of EAD [Optional Practical Training - OPT] card

Employee Questionnaire

Name [Last, First Middle] :

Home Address :

Telephone Number :

E-mail Address :

All Other Names Used :

Date of Birth :

Country of Birth :

Country of Citizenship :

City / Province of Birth :

Social Security Number :

'A' Number [if any] :

Passport Number :

Passport Issued Date :

Passport Expiration Date :

Last Arrival Date in U.S. [mm/dd/yyyy] :

Current Visa Status :

Foreign Address :

Are you currently in Removal Proceedings?
[exclusion or deportation proceedings]

Current

Previous

Full Name of Employer :

Address of Employer :

Full Name of Supervisor | Chair :

Telephone of Supervisor | Chair :

Exact Date of Employment :

Employee Signature

Employee Printed Name

Date

Employee Family Checklist and Questionnaire

Spouse Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Family Member Signature

Family Member Printed Name

Date