State University of New York – Purchase College

Immigration Sponsorship Policy

SUNY Purchase consistently seeks to hire the most-qualified applicant for the positions available within the college. If the best person for a particular position will be a foreign national who requires sponsorship for temporary ("nonimmigrant") or permanent ("immigrant" or "green card") work authorization, in appropriate cases, SUNY will agree to sponsor a qualified candidate for a nonimmigrant visa, an immigrant visa, or both.

I. Approach to Sponsorship

The process and cost (legal fees, filing fees and expenses) of obtaining an H-1B (or in some cases, a TN or E-3 visa) for a new foreign employee are undertaken upon employment by the employer, Purchase College. Costs associated with a "green card" are shared between employer and employee (see further detail in the Green Card Sponsorship Agreement). There are also significant management costs in terms of administering the application process.

Because these costs are significant, we extend offers of sponsorship for nonimmigrant and immigrant visas only to highly qualified applicants who possess the potential to make significant contributions to Purchase College and its educational mission, and with whom Purchase College anticipates having a long-term employment relationship.

II. Nonimmigrant Visa Sponsorship

Purchase College will assume responsibility for the normal legal fees and costs of prosecuting the necessary nonimmigrant working visa applications for the foreign employees to whom it extends offers. This will most often be an H-1B Specialty Worker visa, but may also be a TN visa for Canadians or Mexicans, or an E-3 visa for Australians. Please note that O-1 visas are not included in the visa categories for which Purchase College will assume financial responsibility. Purchase College will be responsible for preparing and filing all application paperwork and will assume all costs involved in obtaining the desired work authorization. Individuals may not retain their own counsel for this purpose.

Purchase College reserves the right to request that the employee bear extraordinary costs connected with the application, such as premium processing fees or processing fees related to dependents.

If it is not possible to obtain the necessary work authorization in a reasonable period of time (due to e.g., denials, appeals, or changes in visa availability due to caps or processing times), in Purchase College's sole judgment, Employer may revoke the offer extended to the employee.

III. Immigrant Visa Sponsorship ("Green Card")

Purchase College will sponsor foreign employees for immigrant visas ("green cards") under certain conditions. Those conditions include excellent performance appraisals and a judgment by Purchase College management that the substantial investment Purchase College will make in the immigration process is justified by the individual's contributions to Purchase College's success. In order to give Purchase College an opportunity to make these judgments, no employee will be considered for immigrant visa sponsorship who has not worked for Purchase College for at least 1 year. While the "green card" application process is underway, it may be necessary to undertake a 3-year renewal of the H-1B visa. As with the H-1B, Purchase College will assume responsibility for the normal legal fees and costs of prosecuting the H-1B renewal.

Purchase College may, in rare cases, agree to sponsor an individual for an immigrant visa who has not yet worked at Purchase College for the full 1 year period, if the employee's merit is clear and there are other extenuating circumstances, such as a child "aging out" or visa expiration issues. Purchase College will not, however, agree to sponsor an individual simply because the individual volunteers to pay the legal and direct costs of the application.

Purchase College will bear the entire cost of the labor certification process as required by law, including attorney fees and advertising costs. Further, Purchase College will pay for 50% of the costs associated with the I-140 Immigrant Visa Petition, and the I-485, Application to Adjust to Permanent Resident Status for the individual employee as long as all conditions are satisfied as outlined above. The employee will be responsible for all costs in connection with dependent family member applications.

Please countersign this policy to indicate your receipt and understanding of the terms set forth herein and return to the Office for Global Education, 2nd floor, Student Services Building. A copy will be retained in your visa and personnel (HR) files.

Sincerely,

_____

Earnest Lamb, Provost and Vice President of Academic Affairs

I have read and understand the terms and conditions set forth above.

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[Employee signs above]

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Date