

**CENTRAL CONNECTICUT STATE UNIVERSITY
CENTER FOR INTERNATIONAL EDUCATION**

**POLICY ON THE PROVISION OF IMMIGRATION SERVICES TO H-1B
NON-RESIDENT ALIEN EMPLOYEES OF CCSU**

1. OVERVIEW

All non-resident aliens present in the United States are responsible for maintaining proper immigration status at all times. Non-resident alien employees of Central Connecticut State University are responsible for maintaining valid work authorization throughout the duration of employment. Failure to maintain valid work authorization prohibits CCSU from continuing to employ the non-resident alien.

2. PURPOSE

The purpose of this policy is to define the institution and the employee's responsibilities concerning the acquisition and maintenance of H-1B work authorization/visa.

3. SCOPE

This policy exclusively covers temporary work authorizations and it applies to individuals appointed to full or part-time teaching faculty positions. This policy also covers temporary work authorizations for administrative faculty positions (SUOAF-AFSCME Admin III and higher), and management appointments at CCSU.

4. INSTITUTIONAL RESPONSIBILITIES

The **Office of Human Resources** is responsible for ensuring that all employees on the CCSU payroll satisfactorily certify Form I-9 prior to commencing employment and maintain the currency of Form I-9 throughout the duration of an individual's employment at the University.

The **Dean's Office** is responsible for:

- 4.1 Reviewing the U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons to ascertain that all non-resident alien faculty and/or administrative faculty meet the stipulated criteria and if not, request an Export License for the release to foreign persons of technical data based on International Traffics in Arms Regulations (ITAR) and/or Export Administration Regulations (EAR);
- 4.2 Certifying that the Dean's Office has reviewed the EAR and the ITAR, and determining if an Export Control License is required for non-resident alien faculty and/or administrative faculty or not;

- 4.3 Attesting that an Export Control License is not required, if the non-resident alien faculty and/or administrative staff will not be exposed to technology under ITAR and EAR;
- 4.4 Notifying the Center for International Education of any substantial changes to job duties, title, hours, and departmental designation of the H-1B employee;
- 4.5 Ensuring that the H-1B employee receives no other salaried or non-salaried compensation from other employers;
- 4.6 Initiating an H-1B extension at least six months in advance of the employee's current H-1B expiration;

The **Center for International Education** is responsible for:

- 4.7 Reviewing the immigration history of all potential non-resident alien faculty and administrative faculty hires to determine their eligibility for employment-based work authorization;
- 4.8 Filing Form I-129, Petition for Non-Immigrant Worker, with the U.S. Citizenship and Immigration Services (USCIS) seeking initial H-1B Specialty Occupations Status for all eligible individuals who have been offered tenure-track AAUP, SUOAF-AFSCME, or Management appointments;
- 4.9 Filing Form I-129 (Petition for Non-Immigrant Worker) for a three-year period, for initial hire and continuing appointments, after notice has been received that an employee's contract is signed or has been renewed. This 3-year renewal process will continue until the six-year regulatory limitation on H-1B status has been reached;
- 5.0 Filing form I-907, Request for Premium Processing, when such processing is determined by the University to be a business necessity;
- 5.1 Informing the individual that the University does not provide legal advice on immigration matters; and when the University deems it appropriate, declining to handle an immigration issue, and recommending instead that the employee seek state approved legal counsel at his/her own expense.

5. INDIVIDUAL RESPONSIBILITIES

Non-resident alien employees of Central Connecticut State University are responsible for the following:

- 5.1 Maintaining proper immigration status at all times;
- 5.2 Maintaining work authorization at all times;
- 5.3 Ensuring that all re-entry paperwork are in order prior to departing the U.S. for personal or professional reasons;
- 5.4 Filing all USCIS forms except those identified in the column below as the University's responsibility;
- 5.5 Reviewing the U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons to ascertain that all non-resident alien faculty and/or administrative faculty meet the stipulated criteria and if not, request an Export License for the release to foreign persons of technical data based on International Traffics in Arms Regulations (ITAR) and/or Export Administration Regulations (EAR);
- 5.6 Filing any and all forms related to any and all dependents s/he may have in the U.S. or who may be joining him/her in the U.S.;
- 5.7 Seeking advice from immigration professionals, such as a state retained immigration attorney and/or the U.S. Citizenship and Immigration Service (USCIS), on all immigration-related matters.
- 5.8 Filing Note: Central Connecticut State University does not provide any assistance with the filing of Form I-539 application for dependents. The only exception is that CCSU will enclose the dependents' completed application with the employee's Form I-129 packet, and mail them together to United States Citizenship and Immigration Services (USCIS). Non-resident alien employees should seek legal counsel regarding the change of status for their dependents.
- 5.9 Ensuring that no salaried or non-salaried compensation is received from another (new) employer, unless a Labor Condition Application (LCA) and an H-1B petition has been filed by the other (new) employer.
- 5.10 Notifying the Center for International Education, if there are any substantial changes to job duties, title, hours, and departmental designation.

6. FIDUCIARY RESPONSIBILITIES

Central Connecticut State University does not charge non-resident alien employees institutional service fees that pertain to the filing of employment based petitions. Some USICS filing fees, however, are the responsibility of the beneficiary – the employee. The following chart is a guide to payment responsibilities for USCIS filing fees:

USCIS Fee Type	Sponsor(CCSU) Shall Pay	Beneficiary (Employee) Shall Pay
Petition for Non-Immigrant Worker Basic Filing Fee (\$460)	X <i>(A third paid by Department, Dean's & Provost's Office)</i>	
Anti-Fraud Fee (\$500)	X <i>(A third paid by Department, Dean's & Provost's Office)</i>	
I-129 Premium Processing Fee (\$1,410)	X When the University determines that it is a business necessity e.g., initial H-1B petitions <i>(A third paid by Department, Dean's & Provost's Office)</i>	All other instances (e.g., filings for the convenience of travel)
All fees associated with filings made on behalf of dependents		X
All filing fees for forms not listed above		X

7. DISCLAIMER

In the provision of immigration services, it is the role of the Center for International Education to sign and submit all petitions made in the name of Central Connecticut State University. The Center for International Education cannot advise on immigration matters beyond those required by the University and identified in the left column above. All non-resident alien employees of Central Connecticut State University are, therefore, advised to seek the counsel of an immigration attorney approved by the State of Connecticut.