



# **CSUS FACULTY/STAFF IMMIGRATION SERVICES HANDBOOK**

***INTERNATIONAL PROGRAMS  
AND GLOBAL ENGAGEMENT (IPGE)***

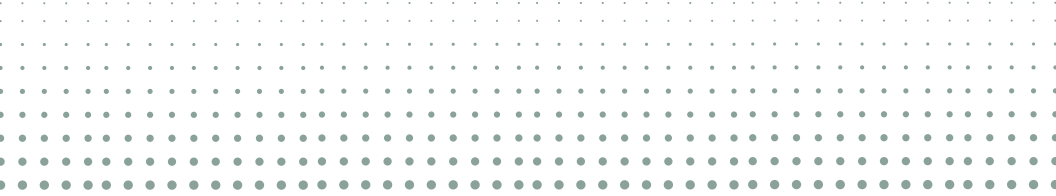


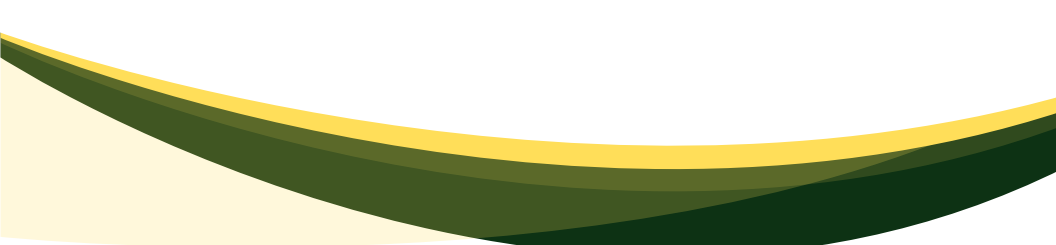
# INTRODUCTION



California State University, Sacramento (CSUS) recognizes the importance of attracting and retaining talented international faculty and staff who contribute to the academic mission of the institution. Employment-based immigration sponsorship is a critical tool in supporting these efforts, ensuring compliance with U.S. immigration laws while facilitating the ability of departments to recruit and retain the most qualified individuals from around the world.

This handbook provides an overview of the institutional policies, procedures, and responsibilities related to immigration sponsorship for faculty and staff at CSUS. It outlines the visa categories most relevant to higher education, with a focus on the H-1B program, which CSUS typically sponsors for tenure-track faculty, and in rare cases, for staff positions where academic justification can be demonstrated. Other visa types, such as TN, O-1, and pathways to Permanent Residency, are also included to provide context and clarity.





# Scope of IPGE

The Office of International Programs and Global Engagement (IPGE) is charged with overseeing the university's responsibilities in employment-based immigration sponsorship for International faculty and staff. Our scope begins when a hiring department initiates contact regarding an international faculty or staff appointment and continues through the preparation, submission, and monitoring of the university's portion of the immigration process. This includes advising on appropriate visa classifications, ensuring compliance with federal immigration regulations, preparing and submitting required petitions to the Department of Labor (DOL) and U.S. Citizenship and Immigration Services (USCIS), and managing the early stages of permanent residency sponsorship (Prevailing Wage Determination and PERM Labor Certification). IPGE also works in coordination with a licensed immigration attorney when required to ensure filings meet federal requirements and best practices. Once the university's sponsorship obligations are complete, responsibility transitions to the employee to continue with an immigration attorney for subsequent filings (such as the I-140 and I-485). IPGE's role is institutional and regulatory in nature we do not provide personal immigration services beyond the scope of university-sponsored employment petitions.

# H-1B Specialty Occupation Visa

## What is H-1B?

The H-1B is a temporary, employment-based visa category that allows U.S. employers to hire highly skilled foreign workers in specialty occupations. A specialty occupation is one that requires specialized knowledge and at least a bachelor's degree (or equivalent) in a directly related field. This category is most often used by universities and research institutions to sponsor international faculty and staff for teaching or research roles.

### » Standard Policy at Sacramento State

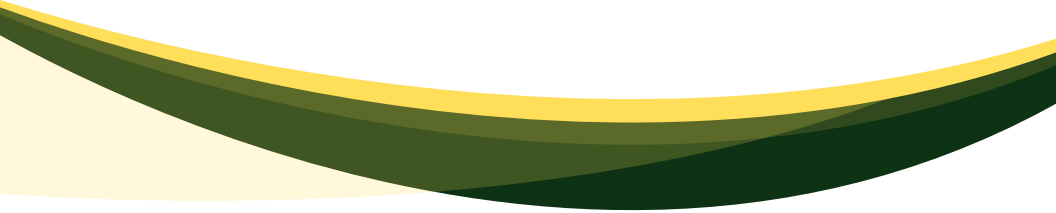


Sacramento State typically sponsors H-1B visas for tenure-track faculty positions. In rare cases, certain staff positions may also be sponsored if justified by academic needs and approved through IPGE administrators.



### » Regulations

- The H-1B visa allows U.S. employers to hire foreign workers in specialty occupations requiring specialized knowledge and at least a bachelor's degree.
  - Validity: Initial period of up to 3 years, renewable for a maximum of 6 years. Extensions beyond 6 years are possible under limited circumstances.
  - Employer-specific: Employees can only work for the employer who filed the petition, and only in the specified role.
  - Dependents: Eligible for H-4 status. Dependents' H-4 application costs must be paid by the employee, as Sacramento State only covers sponsorship costs for the employee.



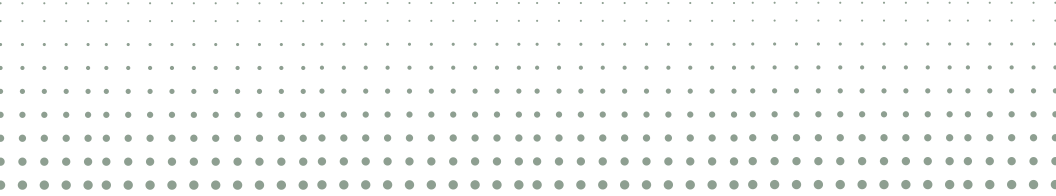
## Requirements

- Position description must clearly state minimum degree(s), field(s) of study, training, experience, and licenses/certifications.
- National recruitment strategy is required for tenure-track faculty positions (ads posted nationally for at least 30 days).
- Waivers: If used, they must be framed around the job requirements, not the individual.

## Department Obligations

- Notify IPGE at least 6 months before the current H-1B expiration for extensions.
- Notify and consult IPGE when anticipating new international hires to discuss sponsorship requirements.
- Reports changes in job duties, title, hours, location, or funding sources to IPGE immediately.

## Required Documentation for H-1B Petitions

- Documentation requirements for H-1B petitions may change frequently, departments and employees should always refer to the most current instructions. Please visit the IPGE website or email Tina Tilahun at [tihetena.kebede@csus.edu](mailto:tihetena.kebede@csus.edu) for the latest checklist of required documents for:
    - H-1B Change of Status
    - H-1B Change of Employer
    - H-1B Extension of Status
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## **TN – NAFTA Treaty Professionals**

### **What is TN?**

The TN (Trade NAFTA) visa is a temporary, non-immigrant work visa created under the North American Free Trade Agreement (NAFTA), now updated under the United States-Mexico-Canada Agreement (USMCA). It allows qualified Canadian and Mexican citizens to work in the U.S. in certain professional occupations listed in the treaty. These positions typically require at least a bachelor's degree or appropriate professional credentials. The TN visa is employer-specific but can be renewed indefinitely as long as the employment remains temporary in nature.

- Valid up to 3 years, renewable indefinitely.
- Department must submit startup package (offer letter, job description, salary schedule, and employee documents).

## **O-1 Visa – Individuals of Extraordinary Ability**

### **What is O-1?**

The O-1 visa is a temporary, non-immigrant work visa for individuals who can demonstrate extraordinary ability and national or international recognition in the sciences, arts, education, business, or athletics. Applicants must show sustained acclaim and a record of achievement significantly above that of their peers.

### **CSUS Policy**

Sacramento State does not sponsor O-1 visas directly. However, IPGE can provide documentation support to faculty or staff who wish to pursue this option independently with an outside immigration attorney. All costs, including government filing fees and attorney fees, must be covered by the employee or department if they wish to proceed.

## **E-3 Visa – Australian Specialty Occupation Workers**

### **What is E-3?**

The E-3 is a temporary, non-immigrant visa available exclusively to citizens of Australia to work in the United States in specialty occupations. A specialty occupation is one that requires theoretical and practical application of a body of highly specialized knowledge and at least a bachelor's degree (or equivalent) in a field directly related to the position.

#### **CSUS Policy**

Sacramento State may consider E-3 sponsorship for qualified Australian nationals in specialty occupations, though such cases are less common than H-1B sponsorship. All institutional responsibilities for E-3 petitions are coordinated through IPGE.

#### **Regulations**

- **Validity:** Initially valid for up to 2 years (though some entries may be granted for 1 year), with indefinite 2-year extensions possible as long as employment remains valid.
- **Employer-specific:** The E-3 is employer- and job-specific; the employee can only work in the position for which the E-3 petition was approved.
- **Dependents:** Eligible for E-3D status (spouses and children under 21). Spouses of E-3 holders may apply separately for employment authorization.

### **Application Process**

The E-3 petition process closely parallels the H-1B process, including the requirement to obtain a certified Labor Condition Application (LCA) from the U.S. Department of Labor. Supporting documentation must demonstrate that the position qualifies as a specialty occupation and that the candidate meets the degree and credential requirements.

# Transition to Permanent Residency (Green Card)

## What is Permanent Residency?

Permanent Residency (commonly referred to as a Green Card) allows a foreign national to live and work permanently in the United States. At Sacramento State, permanent residency sponsorship is typically reserved for tenure-track faculty. Achieving Permanent Residency provides long-term stability, work authorization without the need for visa renewals, and is often the final step before eligibility for U.S. citizenship.



## CSUS Sponsorship Process

- Sacramento State, through IPGE, is responsible for initiating and managing the first stages of the employment-based Permanent Residency process. These steps include:
- Prevailing Wage Determination (PWD): The PWD is issued by the U.S. Department of Labor (DOL) and establishes the minimum wage that must be paid to the employee based on the position, job duties, and geographic location. This process ensures that hiring a foreign national does not adversely affect the wages of U.S. workers. The PWD step generally takes 6–8 months for DOL review and approval.
- PERM Labor Certification: Once the prevailing wage has been determined, IPGE files the PERM (Program Electronic Review Management) Labor Certification with the DOL. This step documents that the university has conducted a fair national recruitment process, that no qualified U.S. workers were displaced, and that the offered wage meets or exceeds the prevailing wage. The PERM application typically takes 8–10 months for adjudication by DOL.
- These two initial steps – the PWD and the PERM Labor Certification – are fully prepared and submitted by IPGE in coordination with the hiring department.



## Next Steps (Employee Responsibility)

After the PERM Labor Certification is approved, the employee must retain an immigration attorney to prepare and file the following petitions:

- Form I-140, Immigrant Petition for Alien Worker: Establishes eligibility for an immigrant visa in the appropriate employment-based category (most commonly EB-2 for faculty).
- Form I-485, Application to Register Permanent Residence or Adjust Status: Allows the employee (and eligible dependents) to apply for lawful permanent residence when a visa number becomes available.
- Associated applications, such as Employment Authorization (I-765) or Advance Parole (I-131), if applicable.

At this stage, all filing fees and attorney costs are the responsibility of the employee/faculty/staff member. IPGE does not manage these subsequent filings but remains available to provide institutional documentation if required.

Once the employee has received their Permanent Resident Card (Green Card), they must provide IPGE with a scanned copy so that the university can officially close the case and update institutional records.

### Timeline

- Prevailing Wage Determination (PWD): 8-10 months
- PERM Labor Certification: 15-16 months
- I-140 Immigrant Petition: 3-5 months (employee's attorney)
- I-485 Adjustment of Status: Variable, depending on visa availability and USCIS processing times
- Labor Certification must be filed within 18 months of the job offer.
- Subsequent petitions (I-140/I-485) managed by employee's attorney.

***Note: All timelines provided are estimates and are subject to change based on U.S. Department of Labor and USCIS processing times.***



# Responsibilities at a Glance

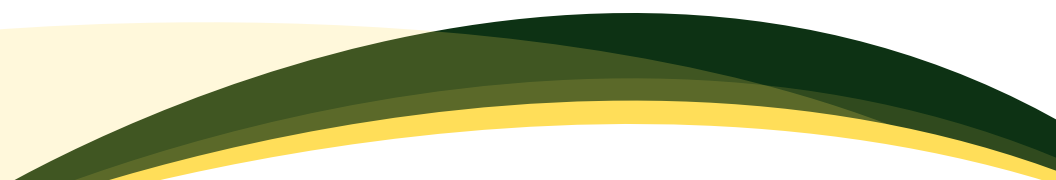
## Employee

- Maintain valid status and travel documents.
- Retain an attorney for I-140 and later permanent residency stages.
- Pay dependent H-4 application costs.
- Notify IPGE of changes in address, status, or employment.
- Notify IPGE 6 months before H-1B expiration for extensions.

## Department

- Notify and consult IPGE when anticipating international hires.
- Provide accurate job descriptions, offer letters, and salary schedules.
- Report changes in job duties, hours, title, or location.
- Cover reasonable return transportation costs if terminating an H-1B employee early.

## IPGE

- Provide immigration advising.
  - Review and prepare sponsorship documents.
  - Cover all standard filing and attorney fees for H-1B petitions.
  - Handle Prevailing Wage Determination and Labor Certification for permanent residency sponsorship.
  - Submit petitions and maintain records.
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# Frequently Asked Questions (FAQs)

This FAQ sheet provides quick answers to common questions regarding IPGE's scope and responsibilities. It is intended as a reference guide and does not constitute legal advice.

## **Does IPGE issue Social Security Numbers or cards?**

No. Social Security Numbers are issued by the Social Security Administration (SSA). IPGE may provide employment verification or supporting documentation if required, but employees must apply directly through SSA.

## **Does IPGE assist with obtaining or renewing a driver's license?**

No. Driver's licenses are issued by the Department of Motor Vehicles (DMV). IPGE can provide documentation verifying immigration or employment status if needed, but the application process must be completed through the DMV.

## **Does IPGE provide housing or relocation assistance?**

No. IPGE's scope is limited strictly to employment-based immigration sponsorship. Housing, relocation, and related services are managed independently by employees.

## **Does IPGE provide legal representation or act as immigration attorneys?**

No. IPGE staff are not licensed attorneys and cannot provide legal advice. For matters beyond the university's sponsorship responsibilities (e.g., I-140, I-485, or personal immigration petitions), employees must retain their own immigration counsel.

# Frequently Asked Questions (FAQs)

## **Does IPGE cover dependent applications (H-4, etc.)?**

No. While CSUS covers standard filing and attorney fees for the employee's H-1B sponsorship, dependent applications such as H-4 must be filed and funded by the employee.

## **Does IPGE provide tax advising or file taxes?**

No. Employees are responsible for meeting their own tax obligations. While IPGE does not provide tax services, employees may be referred to appropriate campus or external resources.

## **Does IPGE advise on immigration matters outside of its scope?**

No. IPGE provides advice only within the scope of the university's employment-based immigration sponsorship responsibilities. We do not advise on matters outside of this scope and are not legal representatives.

Disclaimer: This FAQ is for informational purposes only and does not constitute legal advice.

## Quick Guide (Summary)

- H-1B Sponsorship: Typically limited to tenure-track faculty; in extremely rare cases, staff positions may be eligible if justified by academic needs and approved by the IPGE administrator.
- H-1B Extension: Department must contact IPGE 6 months before expiration.

Premium Processing: Available, but covered by IPGE only in rare/emergency cases; otherwise employee or department will cover this expense.

- Permanent Residency: IPGE covers PWD and Labor Certification. Employee secures attorney for I-140/I-485 stages.
- Fee responsibility: All standard filing and attorney fees covered by IPGE.



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[csus.edu/ipge/immigration](https://csus.edu/ipge/immigration)



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