



The College at Brockport
State University of New York

Category:

Office of Human Resources

Responsible Office:

Director/Asst Director HR

**Policy Title: Immigration Petitions :
Legal and financial support**

Updated 4/16/2010

Policy:

Temporary Non-Immigration

Since immigration law requires the employer to petition on behalf of the employee for appropriate temporary non-immigration services (USCIS), it is the policy of the State University that such petitions be prepared on behalf of the University and paid for by the University including all necessary legal and filing fees. Legal services in connections with such petitions shall be performed only by attorneys retained by the University through the Office of University Counsel. This applies to all H-1b and TN visas.

The University has retained the law firm of Fragomen, Del Rey, Bernsen & Loewy to represent it in preparing H-1b and TN petitions. All petitions must be processed through this law firm and will be paid for by the College.

Permanent Residency

Employees who apply for Permanent Residency may use the Fragomen Del Rey or another firm of their choice. The cost of the application for labor certification, including the cost of advertisements, will be paid for by the College. The employee pays for an employment-based immigrant petition; and the I-485 Adjustment of Status (AOS) or consular processing for an immigrant visa for the employee and the employee's dependents.

In addition, the employee is responsible for the cost of all medical examinations, photographs, fingerprints, vaccinations, obtaining biographic documents and translations for the employee and the employee's dependent; and travel costs to obtain a nonimmigrant or immigrant visa at a U.S. Consulate.

Procedure:

Individuals who have been offered employment at the College and are in need of an H-1b or TN visa need to contact the Director of Human Resources. The Director will complete an Immigration Initiation Form and forward to Fragomen Del Rey which will allow the individual to engage in discussions with Fragomen Del Rey. The Office of Human Resources will also forward to Fragomen, Del Rey a completed Employer Questionnaire.

The employee will be given an Employee Questionnaire to be completed and forwarded to Fragomen, Del Ray.

Forms:

Employer Questionnaire

Employee Questionnaire

Immigration Initiation Questionnaire

Links:

State University of New York Policy on Immigration Petitions, Legal and Financial Support

http://www.Suny.edu/sunypp/documents.cfm?doc_id=418