HIRING FOREIGN NATIONALS ON H-1B VISAS

Hiring a foreign national as a tenure-track professor is a somewhat complicated task. Departments wanting to hire a foreign national should contact The Office of International Programs (OIP), which handles most of the work. There are several tasks that department heads and chairs need to know and complete.

You are encouraged to take the training course through Human Resources on “How to Hire a Foreign National” (OA 200). OA 200 is a three-hour course taught at the “Bruno” building: Auburn University Administrative Complex, 1550 East Glenn Avenue. (Corner of East University Drive and East Glenn Avenue)

You will need to work closely with your HR Liaison and OIP (844-5001).

____ 1. Make sure the Prevailing Wage Request form is complete. This should be submitted early in the search.

____ 2. After the Prevailing Wage Determination is issued by the U.S. Department of Labor, the Office of International Programs will send a “Prevailing Wage Determination Memorandum” to the hiring department. Both the department head and college dean will need to sign the memorandum. Please note that Prevailing Wage Determinations are valid until June 30th. New prevailing wage determinations go into effect on July 1st of every year.

____ 3. Before making the offer to the candidate, you should know if that candidate requires sponsorship for an H-1B work visa.
   ___ a. Check the candidate’s information in People Admin
   ___ b. If the candidate requires sponsorship, include the letter that indicates the process for securing the H-1B visa with the standard offer letter. This letter is provided by OIP.

____ 4. Department administrative assistants upload both letters and the signed Prevailing Wage Determination Memorandum to People Admin.

____ 5. Ensure that the department has the resources to pay processing fees for the visa. As of October, 2016, the fees are about $2,500.
   ___ a. Processing requires about 6-8 months
   ___ b. Expedited processing, “Premium Processing”, reduces the time to 3-4 weeks and costs an additional $1,225 (approximately).

____ 6. After the Prevailing Wage Determination Memorandum has been signed by the department head and college dean, the Office of International Programs sends “Posting Notices of Intent to Hire” to the department. The U.S. Department of Labor requires that the two notices are posted for 10 business days in conspicuous locations within the department. The notices will indicate the title of the position and salary offered. A public inspection file must be established in the Office of International Programs as part of this process.

____ 7. The Office of International Programs will contact the candidate to obtain the necessary immigration documents for filing an H-1B petition on the candidate’s behalf. Once the documents have been collected, OIP will file the H-1B petition with United States Citizenship and Immigration Services (USCIS).
Please keep in mind that tenure-track faculty in H-1B status will be eligible for employment-based permanent residency (green card) sponsorship after they have worked at Auburn University for one semester. Although the H-1B visa may grant the candidate with valid work authorization for up to six years, employment-based permanent residency sponsorship will be necessary in order for the faculty member to remain employed on a permanent basis. The Office of International Programs will work closely with the department and faculty member during the green card filing process.