

HR Immigration Process

Search Begins
 *must include at least 1 print advertisement in addition to the normal recruitment effort in order to be able to petition for permanent residency in the future

International / Foreign National Hired

After initiation from the department, HR begins H-1B process to employ temporary international worker.
 *Department responsible for filing fees

H-1B valid for up to 3 years at a time – may be renewed up to 6 years maximum.

HR will process H-1B extensions when necessary.
 Departments responsible for filing fees.

Standard Permanent Residency process handled within HR
 (EB2 – Workers with Advanced Degree) begins within 18 months of original offer letter initiated by department.

Permanent Residency cases requiring expertise of immigration attorney
 PR filing for all EB-1 (Outstanding Professor/Researcher)
 All Professional employees in cases where the PR process begins more than 18 months after original offer letter
 Any extraordinary case

Human Resources files.
 Department is responsible for all filing fees, with the exception of the I485 Adjustment of Status fee.

Employee pays final filing fee for I485 Adjustment of Status.

Dependent applications directly related to employee's status will be processed by HR (including legal fees if necessary) i.e. H4 if currently in US. With the exception of the filing fee for H-4 which will be paid by employee.

*Dependent expenses NOT primary to the direct employment of the employee are the employee's responsibility including legal fees when necessary. i.e. EAD and travel documents.

Case sent to Fragomen, DelRey, Bernsen & Loewey, LLP. (SUNY contracted attorney)

Dept. pays filing fees and legal fees incurred with the exception of the final filing fee for I485 Adjustment of Status which is always paid by the employee.

Employee pays expenses for all dependent documents including filing and legal fees.