### For Departments



### **Immigration Sponsorship Policy**

### Students, Faculty, and Researchers

Yale's immigration sponsorship policy supports the University's mission to admit and matriculate talented students regardless of citizenship or immigration status, and to recruit and retain a world-class faculty and research community. The Office of International Students and Scholars (OISS) oversees nonimmigrant visa sponsorship for *eligible* students and academic appointments defined by the <u>Yale Faculty Handbook</u> [1], provided they are full-time and based on campus, as well as permanent residence sponsorship for tenure-track and tenured faculty.

OISS represents Yale in administering the F-1 Student and J-1 Exchange Visitor visa programs, as well as the Student and Exchange Visitor Information System (SEVIS), ensuring compliance with all federal reporting requirements of the U.S. Departments of Homeland Security and State.

OISS staff have the authority and responsibility to submit all employment-based immigration petitions sponsored by Yale University to the U.S. Citizenship and Immigration Services and the Department of Labor. OISS is the sole entity authorized to sign immigration petitions and applications on behalf of the University.

The engagement of outside counsel for Yale-sponsored immigration matters requires prior review and approval by OISS.

### M&P and C&T Positions

Yale's immigration sponsorship policy supports the University's mission to admit talented students regardless of citizenship or immigration status and to recruit and retain world-class faculty and researchers. Accordingly, Yale's visa sponsorship is primarily reserved for academic appointments. Staff positions, which are not academic appointments, are generally not eligible for visa sponsorship.

Support for nonimmigrant visa petitions for M&P positions may be considered only under exceptional circumstances, and only for the most senior positions (at least M&P25 or P6/M6), contingent on completion of a formal search and selection process and full compliance with all regulatory requirements for the applicable visa category. H-1B, E-3, and TN visas are the primary visa types sponsored for eligible staff positions. J-1 and O-1 visas are reserved exclusively for academic appointees. Once OISS has verified legal eligibility for the applicable visa, the sponsorship request must be reviewed and approved by the University's exception committee, which includes representatives from OISS, Human Resources (HR), and the Office of General Counsel (OGC). <u>Until sponsorship eligibility is confirmed, the hiring unit must defer extending an offer to the</u>

<u>candidate</u>. Accordingly, visa sponsorship requests from current Yale employees who confirmed in their original job application that future sponsorship would not be required are generally ineligible for post-hire review.

In addition, for sponsorship consideration, positions requiring sponsorship must be <u>full-time (100% FTE) and performed entirely on campus or at Yale-affiliated worksites within Connecticut.</u> Remote work outside Connecticut is permitted only when substantial business needs require duties that cannot be fulfilled on campus, and such arrangements must receive prior approval from OISS; personal reasons do not qualify. All worksites must be listed in the approved visa documentation before the employee may begin working at those sites. Fully remote positions are not permitted under Yale's visa sponsorship policy.

Individuals in C&T or casual positions and M&P positions at lower grades are not eligible for Yale visa sponsorship. However, they may be hired if they have their own work permission (e.g., J-2 EAD, F-1 OPT) as long as the position conditions comply with the visa's work permission rules (if any) and the job offer does not exceed the work permit?validity.

### **Working Together: Roles & Responsibilities**

### **OISS**

Navigating U.S. immigration regulations is complicated, subject to delays and changes, and requires the full attention and participation of the hiring department, the scholar and OISS. At the outset, working with the department and the scholar, OISS will review the many factors and determine the most appropriate status for each individual.

OISS works with departments and scholar to identify the most appropriate visa and then works with both parties to acquire the status, as well as any extensions, including the preparation of any employer-based petitions to USCIS and DOL. In addition, OISS, will collect all relevant data necessary to meet all federal reporting requirements for both non-immigrant and permanent resident statuses.

OISS also provides training and updated information on employment-based related topics to host departments.

### **Host Department**

The faculty host and department administrator play a key role in the process of acquiring the correct visa status for a new scholar, as well as ensuring the scholar maintains a status that permits Yale employment and/or affiliation throughout the appointment period. Specifically, the department will:

- Ensure that all institutional protocols for hiring and appointment are followed, including ensuring the scholar has received information about the terms of appointment.
- Determine if immigration sponsorship is required and work with OISS as soon as the appointment is confirmed to identify more appropriate visa status.
- Initiate the process creating a MyOISS record and provide all required information and documentation until the visa document is prepared and the individual has arrived.
- Monitor arrival dates and inform OISS of any delays and no-shows.
- Assist with onboarding and ensure the new arrival completes the OISS online check-in.
- Report to OISS any change in the Yale appointment (e.g. title, funding, location and duties).
- Initiate well in advance any extension of the original appointment.
- Notify OISS if scholar leaves before the expiration date on the current visa document.

## **Quarterly Newsletter for Departments**

Sign up for the OISS Department Newsletter to receive a quarterly informational digest for our department partners

with recent news, events, and reminders related to hosting international faculty, researchers, and employees. Find it on the <u>Yale Email Subscriptions page</u> [2] - it's listed as 'OISS Department Newsletter'.

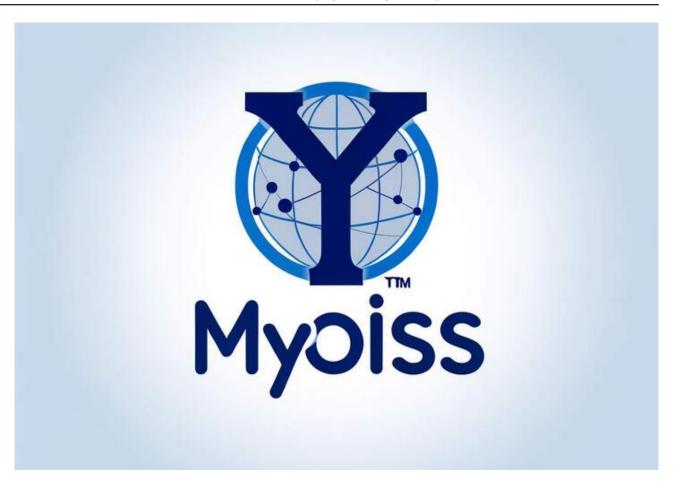
### **Hub Page View:**



# **Visa Options for International Faculty and Researchers**

<u>Visa categories most often used by Yale international scholars. There is also a very brief explanation about the category and an indication of how the category is used for Yale appointments.</u>

[3]



## **About MyOISS**

MyOISS is the new immigration case management system at Yale. MyOISS serves as a centralized platform for departments and international students and scholars to handle a variety of tasks related to immigration.

[4]



# **Inviting a Scholar**

Before making a request for visa sponsorship, the host department needs to secure an academic appointment through either the Office of Postdoctoral Affairs, the Faculty of Arts and Sciences Dean's Office or the Yale Medical School Office of Faculty Affairs.

[5]

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### **Hiring International Students**

Hiring current and former Yale students, as well as students from other universities and students on STEM OPT.

[6]

Source URL: https://oiss.yale.edu/for-departments

#### Links

[1] https://provost.yale.edu/faculty-handbook [2] https://subscribe.yale.edu/browse?area=a0df40000006XkaAAE [3] https://oiss.yale.edu/for-departments/visa-options-for-international-faculty-and-researchers [4] https://oiss.yale.edu/for-departments/about-myoiss [5] https://oiss.yale.edu/for-departments/inviting-a-scholar [6] https://oiss.yale.edu/for-departments/hiring-international-students