

# **Policy on Sponsorship of Temporary Work or Permanent Residency Petitions for Administrative and Professional Positions**

**Responsible Office: Human Resources – Classification & Compensation**

## **I. POLICY STATEMENT**

This policy addresses employment-based immigration status sponsorship for foreign nationals who are applying for, or currently employed in, an Administrative & Professional position, in compliance with federal and state laws.

## **II. POLICY PRINCIPLES**

A. In rare instances, it may be appropriate to sponsor a non-faculty foreign national for a temporary employment status or permanent residency status in an Administrative and Professional (A&P) position that can be legitimately designated as a specialty occupational position.

B. The determination of support for sponsorship on behalf of foreign nationals in A&P positions is the sole responsibility of Auburn University Human Resources (AUHR). The determination of support must be received from AUHR prior to initiating sponsorship actions through the Office of International Programs.

C. The employee must be a foreign national who is currently and lawfully in the United States who possesses the necessary minimum qualifications as specified by the published job description for the position. For both temporary and permanent status petitions, these qualifications must not have been gained through employment at Auburn University.

D. AUHR collaborates with the Office of International Programs (OIP) on those A&P positions for which AUHR will deliver a determination of support - in favor of such a non-faculty sponsorship.

E. Processing of supported sponsorship petitions is the responsibility of the Office of International Programs. Foreign nationals whose petitions are not supported for sponsorship can receive additional information and guidance regarding available non-sponsored residency options from the Office of International Programs.

## **III. EFFECTIVE DATE**

August 1, 2021

## **IV. APPLICABILITY**

This policy is applicable to Administrative and Professional (A&P) positions only. For faculty positions, the determination of support for sponsorship on behalf of foreign nationals is the responsibility of the Office of the Provost and Senior Vice President for Academic Affairs.

## **V. POLICY MANAGEMENT**

***Responsible Office:*** Auburn University Human Resources; Classification & Compensation

***Responsible Executive:*** Associate Vice President, Human Resources

***Responsible Officer:*** Executive Director, Classification & Compensation

## **VI. DEFINITIONS**

**Foreign National** - Any person who is not a citizen or permanent resident alien of the United States.

**Temporary Employment Status** - A valid work-authorized non-immigrant status permitting a foreign national to work in the United States on a temporary basis. There are several different types of temporary employment statuses, including the H-1B and TN.

**Permanent Residency** (also known as a “green card”): An immigrant status authorizing a foreign national to live and work permanently in the United States. In order to obtain permanent residency based upon permanent employment, a foreign national must complete a multi-step process with sponsorship from his or her employer.

**Specialty Occupational Position** – An approved position in an occupation that requires:

A. “The theoretical and practical application of a body of highly specialized knowledge in fields of human endeavor, such as architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, business specialties, accounting, law, theology, or the arts;”

**AND**

B. “The attainment of a U.S. bachelor’s degree or higher in a directly related specific specialty, or its equivalent, as a minimum for entry into the occupation in the United States. The required specialized studies must be directly related to the position. A position is not a specialty occupation if attainment of a general degree, such as business administration or liberal arts, without further specialization, is sufficient to qualify for the position. While a position may allow a range of degrees or apply multiple bodies of highly specialized knowledge, each of those qualifying degree fields must be directly related to the proffered position.”

## **VII. POLICY PROCEDURES**

See the [Procedure for Requesting Determination of Support for the Sponsorship of Temporary or Permanent Residency Petitions for Administrative and Professional Positions](#).

## **VIII. SANCTIONS**

Violations of this policy may result in disciplinary actions up to and including termination of employment.

## **IX. EXCLUSIONS**

N/A

## **X. INTERPRETATION**

Associate Vice President, Human Resources  
Executive Director, Compensation & Classification