



Lawful Permanent Resident (LPR) Processing Request Form

What does it mean to have a "green card"?

A "green card" is a euphemism for Lawful Permanent Resident (LPR) status. Persons who hold this status are permitted to remain in the U.S. indefinitely and to live and work wherever they wish. In general LPR's have the same rights, privileges, and responsibilities as U.S. citizens. LPR's may buy and sell property, own and operate businesses, and may be drafted into the military if a draft is in effect. A few rights, privileges, and duties do not apply. LPR's may not vote in government elections, nor serve on juries at trials, nor hold some elected offices or government jobs.

How does one obtain lawful permanent resident status?

There are three general avenues to LPR status. All three methods involve complex procedures, are time intensive in preparation and can take months to years before adjudication is complete.

1. Close family relationship to a U.S. citizen or LPR which qualifies in one of the family-based preferences
2. Having education, skills, or talents which are in demand in the U.S. and which qualify in one of the employment-based or profession-related preferences;
3. Humanitarian applicants.

IPSO is charged to serve the colleges, departments, centers and institutes of Augusta University. As such, the office only provides services for certain employer-sponsored petitions (2. above). Other options for permanent residency may be available to employees to pursue on their own through a qualified immigration attorney. At a college's or department's request, IPSO is happy to review the immigration circumstances of an employee and provide an assessment of immigration options.

Employer-sponsored petitions

Sponsorship for permanent residency is available for faculty positions and select permanent staff positions requiring a minimum of a master's degree. Due to limited resources, IPSO only provides services for two of the employment-based categories for permanent residency. Please note that not all employees and positions are eligible for both options.

1. Advanced Degree Professional (ADP)
2. Outstanding Professor/Researcher (OPR)

ADVANCED DEGREE PROFESSIONAL PETITIONS (also known as PERM)

For an Advanced Degree Professional petition, an alien must have a labor certification from the U.S. Department of Labor (DOL) confirming that there are not sufficient qualified and available U.S. workers to perform the job and that it is therefore necessary to import an alien for that purpose. The employer files the labor certification on behalf of the employee. If the lawful permanent resident status is based on a job offer, the employee must, in fact, take the job and work in it for some period of time after obtaining lawful permanent resident status. **If the job is not available or the employee does not take the job, questions of *visa fraud* arise.**

The Advanced Degree Professional/PERM process has three requirements which must be met:

1. **The job must be permanent or have the potential to continue indefinitely. A current job that cannot withstand a lengthy processing time and continue beyond it should not be used as a basis for labor certification.** For example, a position which is offered for only two years and that is not considered by the employer to be indefinite is not permanent by immigration standards. A position that can be ongoing and for which the employer believes there will continue to be funding may be considered permanent. The permanent character of the position must apply to a future job offered after lawful permanent resident status is granted.
2. **The department must be willing to undertake re-recruitment procedures to test the labor market.** Augusta University must advertise the position using hardcopy or online publications and text acceptable to the DOL, and may eliminate U.S. workers only for lawful, job-related reasons. For non-teaching positions there must be no qualified and available U.S. workers. For teaching faculty there must be no equally qualified U.S. workers.
3. **The job must be available on the date in the future when the employee is granted lawful permanent resident status.**

OUTSTANDING PROFESSOR/RESEARCHER PETITIONS

For select faculty, the outstanding professor or researcher category may be an option. The category requires the petitioner to establish the following, by a preponderance of the evidence submitted:

1. The beneficiary is recognized internationally as outstanding in a specific academic field
2. The beneficiary has at least 3 years of experience in teaching or research in the academic field, and
3. The beneficiary has a job offer from the petitioning employer for:
 - o a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic field,
 - o a comparable permanent position with a university or institution of higher education to conduct research in the academic field, or
 - o a comparable permanent position to conduct research in the academic field with a department, division, or institute of a private employer, if the department, division, or institution employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.
4. *** The outstanding professor/researcher category requires significant gathering of documents by the employee/applicant and considerable participation by the department supervisor and/or department chair.**

How much does sponsorship cost? By regulation, the labor certification aspects of the ADP/PERM path to permanent residency **must be paid by the employer. The sponsoring College/department should expect \$2000 to \$4000 in fees and expenses.**

LAWFUL PERMANENT RESIDENT (LPR) PROCESSING REQUEST FORM

The immediate supervisor (NOT the employee) must do the following things:

1. **Read** the attached cover memo
2. **Review and complete** all the employer and contact information below
3. **Make a copy** of this form for your records
4. **Sign, date and return** this form with attachments to IPSO

IPSO begins the LPR process only **AFTER** receiving this completed form and all attachments

1. DEPARTMENT INFORMATION

- a. Name of Employee: _____
Last First Middle
- b. Name of Employee's Immediate Supervisor: _____ Title: _____
- c. College/Hiring unit: _____ phone: _____ fax: _____
- d. Name of College/department budget manager: _____

2. DEPARTMENT INFORMATION

- a. Employee's current Position/title: _____ Current salary: _____ Appt Date: _____
- b. Please answer the following questions about the position on which the LPR petition will be based:

Is this a full-time position? Yes No

Is this a permanent position? Yes No

Do you anticipate continued funding for this position? Yes No

Faculty position: Does this position have teaching effort assigned to it? Yes No

Staff position: Has the staff position been classified by HR? Yes No

Does the employee meet the minimum qualifications for this position without considering experience gained while employed at Augusta University? Yes No

(If you are not sure of position minimum qualifications, please contact IPSO)

The approximate cost of the PERM process is \$2,000 to \$4,000 and must be paid by the sponsoring college/department.

I have read and understood this documentation and request that IPSO proceed with evaluating this case for eligibility for the lawful permanent resident petition process. I understand that this college/department must pay all legal fees, advertising costs and IPSO fees for this process.

Signature of College Dean (Summerville) Department supervisor (Health Sciences) Date

Signature of Department manager (Health Sciences only) Date