

UNIVERSITY GREEN CARD SPONSORSHIP PATHS

“Perm” Permanent Labor Certification

Many of the PERM requirements are completed when the foreign national is initially recruited and hired. To be eligible for a PERM, the hiring department must complete the following basic procedures:

1. Advertise the job opportunity in at least one (1) national professional journal;
2. Document why the foreign national was more qualified than any of the US workers who applied for the job; and
3. Application filed within 18 months of selection of candidate.

Advertising Requirements:

The advertisement must contain:

1. The name of the Rutgers hiring department
2. Work Location (city/state)
3. Position Title
4. Detailed Job Duties (especially listing teaching duties and the subject being taught)
5. Minimum Job Requirements (Degree & Acceptable Field(s) of Study-do not list preferences)
6. Name and Contact Information of Department Faculty/Staff Member who will answer questions from potential applicants

While job duties can be described generally (e.g. teaching and research in physics), advertisements must be very specific in stating the academic or professional degree required. This is because if a foreign national is ultimately hired he or she must meet the specified degree requirement in order for Rutgers to sponsor the person for a PERM-based green card. For example, if the advertisement states that a Ph.D. is required and you hire a foreign national in ABD status, he or she will not be eligible for a PERM-based green card sponsorship, and the department would then have to wait several years or more for green card sponsorship until the individual could meet eligibility criteria for Outstanding Professor/Researcher.

The advertisement must be placed in a national professional journal for advertisements for college or university teachers. The journal can be either print, electronic or web-based. In certain cases, the national print journal is safer and we encourage its use if there is any slight uncertainty in meeting the web-based requirements.

If you choose to advertise on a web-based journal, the advertisement must be posted for at least 30 consecutive calendar days on the journal’s website. If the discipline-specific journal in the

field does not permit ads running for 30 days, departments may advertise in other acceptable online journals. Please note: The Chronicle of Higher Education is generally considered a safe place to advertise as it does allow online ads to run for 30 consecutive days., You must save screenshots of the advertisement on the first date it was published and the last date (30th day) of posting and an invoice (documenting the start and end dates).

There must also be a final (written) of the faculty, student and/or administrative body making the recommendation or selection of the alien at the completion of the competitive recruitment and selection process. The report must be signed and dated by the department or search committee chair, and it must include reference to the specific date on which the foreign national was selected for the job.

SEE INSTRUCTIONS FOR RUTGERS DEPARTMENTS FILING A “PERM” LABOR CERTIFICATION FOR A FOREIGN NATIONAL FACULTY MEMBER FOR MORE INFORMATION.

OUTSTANDING PROFESSOR/RESEARCH REQUIREMENTS

Rutgers hiring departments may choose to sponsor tenured or tenure-track faculty as an Outstanding Professor or Researcher. This path can be used only if, since obtaining the doctorate degree, the employee has had at least three full years of work experience in his or her discipline and meets other regulatory criteria that defines eligibility. Research performed to meet doctoral degree requirements will usually not qualify toward the three years experience.

There are six categories that can define such an employee as an Outstanding Professor or Researcher:

- Receipt of major prizes or awards
- Membership in associations in the academic field that require outstanding achievements
- Materials written by others in professional publications about the candidate’s work
- Participation, either individually or on a panel, as a judge of the work of others in the Same of similar academic fields
- Original scientific or scholarly research contributions
- Authorship of scholarly books or articles in scholarly journals with international Circulation

“SELF-SPONSORSHIP” BY THE FOREIGN NATIONAL EMPLOYEE

Alien of Extraordinary Ability

An employee may be eligible for a self-sponsored, employment-based immigrant visa if s/he is an alien of extraordinary ability. The applicant must be able to demonstrate extraordinary ability

in the sciences, arts, education, business, or athletics through sustained national or international acclaim. For more information visit USCIS' website (<https://www.uscis.gov/working-united-states/permanent-workers/employment-based-immigration-first-preference-eb-1>)

National Interest Waivers

National Interest Waivers are usually granted to those who have exceptional ability ('means a degree of expertise significantly above that originally encountered in the sciences, arts, or business') and whose employment in the United States would greatly benefit the nation. For more information visit, USCIS' website (<https://www.uscis.gov/working-united-states/permanent-workers/employment-based-immigration-second-preference-eb-2>)