



Immigration Protocol

Scope

This Protocol applies to the handling of immigration matters by John Carroll University with respect to sponsoring a foreign national for employment. The Vice President of Academic Affairs Office, the Office of Legal Affairs and Human Resources can assist departments with their immigration needs.

General Information

1. University hiring involves finding the most qualified candidates for the position.
2. Consideration of hiring qualified foreign national candidates can be important and may increase the overall diversity of the University workforce.
3. When candidates are foreign nationals, those involved in the interviewing and hiring process need to consider whether a candidate requires sponsorship to work in the United States, as the process:
 - a. may require certain actions by the University consistent with applicable law;
 - b. may require time to petition for the candidate's visa or immigration status; and
 - c. may entail some expenditure of funds to handle the paperwork necessary for Visa petitions, employment authorization and work-related travel.

Procedures When Interviewing Candidates

1. Always consider who is the most qualified candidate for a position.
2. Ask all candidates the following questions:
 - a. Are you authorized to work in the United States?
 - b. Would you require University sponsorship to be authorized to work in the United States?

Note: When the PeopleAdmin system is used to submit and screen applications or to ask their country of citizenship. It may entail the necessary immigration work authorization).
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6. In determining second-round candidates, it is appropriate to ask what kind of sponsorship the candidate would require and explore any timing issues related to any necessary sponsorship. Departments should seek assistance from Human Resources or Legal Affairs when asking such questions.
7. Before selecting a final candidate and presenting an offer of employment, it is important to know two things:
 - a. If the candidate is authorized to work in the United States without sponsorship, and
 - b. If the candidate has ever been on a J exchange visitor visa (as prior J visa status requires the candidate to meet certain home residency requirements that may affect continuous employment).

Procedures When a Candidate Has Been Selected

1. The offer letter must indicate that the offer is contingent upon the candidate obtaining

3. Legal Affairs and Human Resources, in collaboration with the Office of Vice President of Academic Affairs, will work with outside immigration counsel to assist with petitions for employment-based authorization.
4. Consider the desired start date for a candidate who requires sponsorship to work in the United States, as sufficient time is needed to gather documents, post notices, file petitions, and obtain a decision from U.S. Citizenship and Immigration Services. JCU cannot control the outcome or the timing of governmental approvals or delays in immigration and visa filings.

Contact Legal Affairs or Human Resources for any employment-related immigration questions.

Effective Date: August 1, 2024