Initiating the Permanent Residency (PR) Sponsorship Process

If a UGA department or office plans to hire, or has hired, a non-U.S. citizen in a permanent position, the department will likely wish to initiate a permanent residency sponsorship with our office. To do this, the department representative and the employee should take the following steps:

Your PR sponsorship request must be submitted through our online department services portal, called “Compass”. If you are not yet approved for access, you can request access to the Compass portal as follows:

- Navigate your browser to https://compass.uga.edu.
- Click on “Administrative Services for University Departments” in the lower left corner of the screen.
- Click on “Departmental Services” in the left-hand menu.
- Click on “Departmental Access Request” in the sub-menu.
- Fill out all the fields on the request form; mark the checkbox after reading the statement, and then click “Request Access” at the bottom of the screen. We will usually approve access the same day you request it.

If you are already approved for access to Compass:

- Login to Compass.uga.edu
- Click on Departmental Services in the left-hand menu
- Click on the “PR Intake Information” e-form link
- Complete the e-form, and submit

Once the PR Intake Information e-form is submitted, we will evaluate the position and the employee’s background for eligibility, and decide on the best category of filing for the PR case. We will then contact you to begin the process. This will require additional detailed information about the position and the employee. To continue the sponsorship process once you are approved for sponsorship, take the following steps:

- Login to Compass.uga.edu
- Click on Departmental Services in the left-hand menu
- Click on the “Permanent Residency Sponsorship Application” e-form link
- Complete the department e-form group forms
- Your employee will then get an email asking them to complete the employee e-forms
- Once all employee and department information is complete, the department representative should complete the final PR Request – Final Dept. Certification e-form.
The department representative will act as a liaison to our office and will serve as the primary point of contact as we guide the sponsoring Department through the various procedures required by the Department of Labor and US Citizenship & Immigration Services (USCIS).

If the international employee already has an immigrant petition filed or approved, our office will determine if an additional UGA sponsorship is required.

**Please note:** These procedures are specific to the process used to file petitions through sponsorship by the University of Georgia. Information contained herein should not be considered valid for people filing applications that are NOT University sponsored. Immigration Services is the only office on campus to have signature authority for any federal documents related to permanent residency. The State’s Attorney General has prohibited the filing of any UGA sponsorships by outside counsel.

**Background Information on the PR Process**

There are three paths to applying for PR based upon employment at the University of Georgia. Each process has its own set of qualifications, procedures, and documentation requirements. The PR process must be initiated by the employing department. Effective July 1, 2007 all requests for PR must comply with the University of Georgia, Immigration Services Policies and Guidelines Governing International Scholars, Researchers, Faculty and Staff. Click here to access this policy statement: IS Sponsorship Policies

PR Sponsorship approval is based on an offer of permanent and full-time employment.

The three paths that are available to international employees at UGA are:

1. **Outstanding Professor/Researcher (EB-1 category)** – available for individuals with a long record or publication, research, conference participation and recognition by other experts in the field. Applications are filed directly with USCIS.

2. **Department of Labor (DoL) “PERM” application for individuals with teaching responsibilities (EB-2 category)** The three qualifying requirements for this process are:
   - The individual has some percentage of teaching responsibilities.
   - The advertisement for the position must have appeared in a PRINT ad in the Chronicle of Higher Education or in an online national or international appropriate professional journal for a period of at least 30 days.
   - The application must be submitted to DoL within 18 months of the date of job offer.

3. **Department of Labor Perm Processing for positions that do not have teaching responsibilities (EB-2 or EB-3 category)**. These may include positions that require only a bachelors or master’s degree. This process is the most time consuming of the three because it will require a true “Labor Market Test”, meaning that the position will have to be advertised in a number of ways including twice in the Athens Banner Herald, Sunday editions, an open job ad with the Georgia State Dept. of Labor, and additional advertising
from a select list of approved ways. The department will need to interview any individuals who are citizens or permanent residents who have the minimum qualifications for the position. If the international employee is found to be the only qualified candidate, the PR sponsorship can move forward. Our office will provide detailed and close guidance during this process.

**Required Steps:**
The PR Process entails two or three separate stages, depending on the category of sponsorship. EB-1 sponsorships require only the last two steps listed below, and EB-2 and EB-3 categories require all three steps. Note that the third and final step – the “adjustment of status” application, or the Consular application for the immigrant visa, is the personal application of the employee, and is not managed or filed by IS.

The three steps are:
1. Department of Labor Prevailing Wage and PERM applications
2. USCIS I-140 immigrant petition
3. USCIS I-485 Adjustment of Status” application form within the U.S.

**OR**
Department of State Consular application for the immigrant visa from outside the U.S.

**Work Eligibility and Timeframe:**
Most international employees will be hired at UGA and initially sponsored for a non-immigrant work visa such as an H-1B. While the PR application is being assembled, filed, and is pending with the government, our office will work with the sponsoring department to maintain and extend the underlying H-1B work status as needed until the PR application is approved and the “green card” is issued. In order to continue to extend the H-1B visa status, the filing of the labor certification must happen before the start of the sixth year of H-1B status.

For EB-2 cases that DO NOT require teaching duties, the department will usually need to re-advertise and re-recruit for the employee’s position and review all applications submitted for the position in order to meet Department of Labor requirements. If a minimally qualified U.S. worker is found through this recruitment, the PR sponsorship cannot continue. The re-advertisement process is strictly controlled by the Department of Labor, and you will receive specific instructions on the type and content of ads that will need to be placed. **If your department will not undergo this re-advertising process you must inform our office**.

The I-140 case requires a government filing fee of $715. Processing times are usually 5 – 7 months (as of summer 2024) The case can be premium processed, reducing the timeframe for approval to 2 weeks, however this requires an additional government filing fee of $2,805.
PERM cases requiring Dept. of Labor applications and possibly re-advertising and re-recruitment: (EB-2 and EB-3)

- Dept. Of Labor steps: 1 – 1.5 years
- USCIS I-140 step: 4 to 6 months
- I-485 adjustment of status application (by the employee, not IS): 15 to 33 months
- Total time: 3 – 5 years
- Premium processing of the I-140 would reduce the time by 5 – 7 months

Outstanding Professor or Researcher: (EB-1)

- Assembling and receiving an approval on the I-140 application: 2 to 6 months (this depends largely on how long it takes the employee to assemble all evidence)
- Receiving approval of the I-485, and receipt of the “green card”: 15 to 33 months
- Total time: 1.5 to 3 years
- Premium processing would reduce the time by perhaps 5 to 7 months

These time estimates are general in nature, and are assuming the person is not in a backlogged category of filing. They reflect processing times as of summer 2024. They can change without notice based on government processing times, and DO NOT consider delays that are common due to the following factors:

- Immigrant visa backlogs for certain categories and for employees with certain nationalities. These delays can exceed several years. Generally, citizens of India and China are backlogged in the EB-2 and EB-1 categories.
- Citizens of other countries can also be backlogged, but generally are not.
- Security clearance delays on the part of the government which can exceed 6 to 12 months
- Delays in receiving required information from the sponsoring department or employee

Costs:

**Departmental Cost**

The 2024-2025 internal Immigration Services fee for PR sponsorships are:

<table>
<thead>
<tr>
<th>LPR</th>
<th>Employer Petitions teaching</th>
<th>$2,646</th>
<th>Sponsoring UGA department</th>
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</thead>
<tbody>
<tr>
<td>LPR</td>
<td>Employer petitions – Outstanding EB-1</td>
<td>$2,763</td>
<td>Sponsoring UGA department</td>
</tr>
<tr>
<td>LPR</td>
<td>Employer petitions – non-teaching</td>
<td>$2,877</td>
<td>Sponsoring UGA department</td>
</tr>
<tr>
<td>LPR</td>
<td>1-485 Employee Application Preparation</td>
<td>$615</td>
<td>UGA employee who will receive the “green card”</td>
</tr>
</tbody>
</table>
The sponsoring department’s total cost for the green card sponsorship may be between $3,361 and $6397 depending on the category of filing and whether the case is filed for premium processing. Additional re-advertising for EB-2 non-teaching positions may add $1,500 - $2,000. IS internal fees increase by approximately 2% at the beginning of each new fiscal year.

**Employee Cost:**

Once our immigrant petition is approved, the international employee will need to file his or her personal adjustment of status application for the green card. The government filing fee for this application is $1,440. (per family member), payable by the international employee, unless the employee has negotiated otherwise with the hiring department. The fee to have our office complete and assemble the I-485 forms for the employee is $615. Note we cannot offer legal advice on these cases, nor act as legal representatives to the employee. The same fee would apply for form completion for each dependent, up to three maximum fees, regardless of the number of dependents. This is optional, however, as the employee may choose to file the forms themselves, or hire their own attorney. If he or she hired an immigration attorney to help with this portion of the case, it might cost $2,000 to $3,000 in legal fees, again payable by the employee. Federal law allows employers to pay these costs, however UGA policies and or grant funding restrictions may prevent this.

**Fee Waivers and Refunds:**

Immigration Services, as a Cost Recovery Program, charges fees for services relating to international employee visa sponsorships. These fees are charged to hiring or sponsoring departments, and must be paid before any sponsorship paperwork can be sent out by IS to international employees or to any government agency. The fees are charged specifically for processing of the sponsorship paperwork, and not for the case approval. There is no way to guarantee government approval of any case filed, or of an individual’s visa application. In certain circumstances, IS fees may be waived by the Associate Provost.

In certain circumstances fees may be refunded by IS to the sponsoring department.

In order for a fee refund to be approved, the following conditions must be met:

1) No work is processed by our office on the case in question.
2) The request for refund must occur in the same fiscal year in which the fee was paid, and prior to May 15th to allow for processing time.

Questions on fee refunds should be directed to rcatmur@uga.edu.