



University of Colorado
Denver | Anschutz Medical Campus

Office of International Affairs
International Student & Scholar Services

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HIRING INTERNATIONAL APPLICANTS

Who Is An “International” Applicant?

An applicant who will need paperwork from the University in order to apply for an appropriate visa to work as an employee at the University is identified by the University as an “international” applicant.

When To Ask If Candidate Is International?

During the finalist stage when finalists have been identified and are being invited for an interview with the hiring authority, **each finalist** should be asked about their ability to be employed lawfully in the United States.

What To Ask?

“As a condition of employment, UC Denver must verify your employment eligibility. Do you have a work status that allows you to work for any employer in the United States?”

What If A Candidate Is An International Applicant?

If you have candidates who identify themselves as being international, you may advise them to contact International Student Scholar Services (ISSS) to discuss their visa requirements. If you hire an international for your opening, ISSS will assist with visa paperwork so that the individual has the proper work visa. Early consultation with ISSS is crucial in order to have the appropriate documents and petitions timely filed with the Department of Labor or the Department of Homeland Security.

When Searches Can Be Used for To Assist Employee with Permanent Residence.

If you plan to conduct a national search seeking to hire teaching faculty (Instructor to Full Professor) for which the applicant pool may include an international who wishes to seek permanent residency, you should run a print ad in at least one issue of a professional journal and keep a copy of the original tear sheet. *The Chronicle of Higher Education* is an acceptable option. This will eliminate the possibility of having to conduct another search. In **Jobs at CU** ensure that you document where the position will be posted and attach a copy of the language for all external postings. See also “Drafting Ads” section below.

Permanent Resident Search File Retention

Typically search files are retained for two years from the date of the end of the search. If you have completed a search for a candidate that will be used for permanent residency, the search file should be maintained for five years. You can forward the search file to ISSS who will store the records for you.

How Can International Student Scholar Services Assist?

AD REVIEW: ISSS can look over your recruitment ad to ensure that your ad contains the necessary elements to meet Department of Labor (DOL) and Department of Homeland Security (DHS) rules. This is especially important if you think you could end up with an international candidate for whom the University will want to obtain a green card. **Consult with ISSS before you place your ad, if that is the case.**

CANDIDATE CONSULTATION: ISSS will be happy to meet with your international finalists to help determine potential eligibility for permanent residency status before the individual is hired into a tenure-track, tenure-eligible, or long-term permanent position. ISSS can determine if there are any barriers to smooth immigration processing. This is also a good recruitment tool, as it shows candidates that immigration work can be done through the University.

EXPLANATION OF PROCESS: ISSS can help the hiring unit and the candidate understand the timing process for obtaining the proper immigration status for an international hire. Different visa types can be appropriate for the hire. Each visa type will involve different processing times:

- **J-1** documents can be completed by ISSS within 5 days. This visa cannot be used for tenure-track or tenure-eligible faculty positions. No government filing fees required from hiring unit.
- **H1-B** visa processing takes a minimum of four weeks processing time in ISSS and requires applications to both DOL and DHS. Processing time at DHS can take up to 4 to 6 months; with premium processing, the time is shortened to approximately two weeks. USCIS filing fees are required and must be paid by hiring unit.
- **Obtaining a green card** takes up to one or more years and also involves both the Department of Labor and the DHS, in most cases.
- **Teaching faculty labor certification applications** are handled by ISSS staff.
- **Non-teaching permanent positions** are assisted by outside immigration attorney for which hiring unit must pay.

<p align="center">DRAFTING APPROPRIATE ADS FOR TEACHING FACULTY POSITIONS AT THE UNIVERSITY OF COLORADO IF INTERNATIONAL APPLICANTS POSSIBLE</p>

ADS MUST INCLUDE THE FOLLOWING ITEMS:

1. Job title.
2. Job duties.
3. Minimum requirements for the job, including nature of degree and field of study.

PRINT ADS: Hiring unit MUST run at least one print ad in an appropriate professional journal/publication with national or international circulation. Web- based only ads are not sufficient for the Department of Labor at this time.

BE SPECIFIC: use a precise job title, and requirements, including degree and area of specialization. Enumerate the job duties. Do not require years of experience unless the position actually requires it.

CONTACT INFORMATION: Include clear contact information in your ad.

PREVAILING WAGE: The University must be in compliance with DOL regulations for paying prevailing wages. If you require more than two years of experience for a job, the DOL's determination of a prevailing wage may be higher than the salary you are able to offer. Consider requiring "working knowledge of _____" instead of "experience in _____."

CALCULATING EXPERIENCE TIME: Time spent in a degree program cannot count towards experience, if experience is required.

EXPERIENCE GAINED WITH UC DENVER: A candidate cannot use experience gained with the same employer in the same job in order to qualify for the advertised position.

KEEP TO THE STATED REQUIREMENTS: Do not offer the position to someone who does not have the minimum qualifications included in the advertisement. If your department will accept someone with either ABD or Ph.D., either M.D. or Ph.D., make that clear in the minimum requirements. If you require only a Ph.D., the candidate must have the Ph.D. in hand at the time of the offer.

TEACHING FACULTY DEADLINE: In order to use a completed teaching faculty search, ISSS must file a labor certification application (often the first step for a green card) for any teaching faculty hire within **18 months** from the letter of offer.

Good advance planning will help new international hires obtain the appropriate visa for work authorization in a timely manner. Please consult with ISSS early in the process.

International Hire Contacts: Florie Montoya, Human Resources, 303-315-2741; Michelle Larson-Krieg, ISSS, 303-315-2235