



SAINT LOUIS UNIVERSITY

LABOR CONDITION AND PERMANENT RESIDENCY POLICY

Policy Number: FA
Classification:
Responsible University Official: Provost

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Effective Date: 3-25-08

1.0 INTRODUCTION

Saint Louis University will provide support to eligible faculty and staff who apply for permanent residency in the United States. As mandated by federal regulations, the University is responsible for provision of the Labor Condition Application. Additional administrative support is provided by the Office of International Services.

2.0 PURPOSE

The purpose of this policy is to clarify the University's role in supporting faculty and staff who are applying for permanent residency.

3.0 PERSONNEL AFFECTED

All eligible, full-time faculty members on the tenure track, non-tenure-track faculty, and staff who are foreign nationals

4.0 POLICY

Saint Louis University will consider providing support of employment-based applications for permanent residency for employees who meet the following criteria, but reserves the right to determine eligibility on a case-by-case basis:

- Faculty members on the tenure track, non-tenure-track faculty, and staff who have been employed by the University for at least twelve consecutive months at the time the application is submitted. Eligible employees must have no immediate plans to leave the University and must be employed in positions in which there is no expected ending date. Employees completing post-doctoral studies or fellowships or those who are in "visiting" faculty or staff positions are not eligible.
- Employees who are approved by the designated administrator of the academic or staff unit and the Provost.

- As required by federal regulation, employees who are employed in positions in which the salary is guaranteed for a minimum of three years from the date of the application, assuming the employee is performing at an acceptable level. Preference will be given to employees who demonstrate exceptional ability.

Support for the permanent residency and labor condition application will be provided by the Office of International Services. Support may include, but is not limited to, completion of required forms and procurement of letters of support and other supporting documentation.

The University will assume responsibility for the entire cost of the Labor Condition portion of the application, with the costs being divided equally between the department or other reporting unit and the Office of the Provost, or, in the case of non-resident staff members who are not in the Provost's reporting line, with the costs being borne by the Office of the relevant Vice President.

Generally, individuals will utilize outside counsel at their own expense, but if deemed necessary by the University, the costs will be shared by the employee's department or other reporting unit and the Office of the Provost, or paid by the office of the relevant Vice President.

Approval is dependent upon the facts and circumstances of each application, including, but not limited to, availability of University and departmental funding.

6.0 RESPONSIBILITIES

The appropriate administrator's office has responsibility for preparing the request and for recommending action to the Office of the Provost or Vice President with jurisdiction.

The Provost/Vice President has responsibility for reviewing and approving or disapproving eligible labor condition applicants.

The employee has responsibility for procuring appropriate documentation and completing the remaining components of the permanent residency application.

7.0 PROCEDURES

The employee will initiate his/her request for a labor condition report by discussing the request with his/her supervisor, Department Chair, School Director, Dean, or other appropriate administrator. Upon receiving approval to proceed, the employee will contact the Office of International Services, which can provide administrative support with the completion of required documentation. The completed documentation package will then be forwarded to the Office of the Provost or to the appropriate Vice President.

Once the completed package has been forwarded, the Provost or Vice President will make a decision based upon the merits of the case. S/he will notify the employee and the local administrator's office of his/her decision when it has been rendered.

APPROVAL SIGNATURES

This policy was prepared by Marie Dockter. It was reviewed by the Office of Legal Counsel, CADD, the Faculty Senate, the Executive Committee of the Faculty Senate, and the President's Coordinating Council and approved by the President on March 25, 2008.

This policy has been approved by:

Joe Weixlmann, Ph.D.

Provost

Saint Louis University