



**THE GEORGE  
WASHINGTON  
UNIVERSITY**  
WASHINGTON, DC

**Responsible University Official:**  
Director, International Services Office

**Responsible Office:** International  
Services Office

**Last Revised Date:** March 16, 2010

## **SPONSORSHIP OF FOREIGN NATIONALS FOR H-1B NONIMMIGRANT AND PERMANENT RESIDENCE STATUS**

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### **Policy Statement**

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The International Services Office (ISO) and Office of the Senior Vice President and General Counsel (OGC) are the only offices, departments, or individuals with legal authority to represent to a current or prospective employee that the university will sponsor the foreign national for H-1B nonimmigrant status, U.S. Permanent Residence, or any other immigration classification. Any such commitments made by departments or persons other than these offices will not be considered binding. ISO is the designated office authorized to communicate with the U.S. Department of Labor (DOL), U.S. Citizenship and Immigration Services (USCIS) and the U.S. Department of State (DOS), and to sign all forms requiring a university signature. OGC is also the only GW office authorized to retain private attorneys in such matters. Attorneys representing individual faculty and researchers are not authorized to file employment-based petitions on behalf of the university.

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### **Reason for Policy**

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When GW hires foreign nationals either temporarily or permanently, it is subject to federal laws and regulations of the Departments of State (DOS), Labor and Homeland Security (specifically, USCIS). Success in obtaining approval of petitions for foreign national temporary and permanent employees in any nonimmigrant or immigrant status is dependent upon responsible and full adherence to law, regulation, and procedure. Failure to adhere to such laws subjects the university to potentially serious sanctions for employing individuals who are not authorized to work in the United States.

Each year, GW sponsors many nonimmigrant students and scholars who come to the U.S. to study, teach, and conduct research. The immigration classifications used most frequently to appoint nonimmigrant faculty and researchers (“scholars”) at GW are the J-1 Exchange Visitor, the H-1B Temporary Worker, and the TN Temporary Worker (for Canadian citizens). GW may also sponsor foreign nationals in certain GW position classifications for U.S. Permanent Resident status (PR).

Details concerning GW positions eligible for the more common types of sponsorship, H-1B or Permanent Residence, can be found in the university’s [Legal Advisory on University Sponsorship of Foreign Nationals for the H-1B Nonimmigrant and Permanent Residence Immigrant Visas](#). This document is linked further to two other useful documents on Background Information and Frequently Asked Questions (see **Related Information** below).

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## Who is Governed by this Policy

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Faculty, academic and non-academic administrators, including deans and staff

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## Policy

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Generally, GW sponsorship for the H-1B non-immigrant visa is available to foreign nationals with earned doctorates appointed to regular, full-time, active-status faculty and advanced full-time research positions at the post PhD level who are coming to the United States temporarily to perform services in a “specialty

occupation.” Foreign nationals in either part-time positions, staff positions, or librarian positions are not eligible for H-1B sponsorship.

Permanent Resident status confers on foreign nationals the right to live and work in the U.S. without time limitations. Foreign nationals in GW regular active-status faculty positions at the post-PhD level are generally eligible for permanent residence sponsorship. The university will only consider such sponsorship for foreign nationals hired into full-time permanent positions at GW. Advanced research staff may also be eligible, subject to certain requirements. GW staff members are not eligible for permanent residence sponsorship.

The J Exchange Visitor Program of the U.S. Department of State provides opportunities for foreign nationals to enroll as students or to work as professors, researchers or short-term scholars at GW on a temporary basis.

**Only ISO and OGC have authority to represent to a current employee or prospective employee that the university will sponsor the foreign national for the H-1B nonimmigrant or Permanent Residence immigrant visas (or any other visa classification).** Commitments made to sponsor foreign national employees for temporary or permanent immigration status by individual supervisors, departments, offices, or other GW entities are considered non-binding.

Departmental requests for sponsorship in accordance with this policy are made to the ISO, which is the GW office designated and authorized to sign all Department of Labor and USCIS forms requiring a university signature.

The ISO works collaboratively with the hiring department in all cases involving university sponsorship. The chair contacts the ISO to discuss immigration possibilities when considering a hire or invitation. In consultation with the chair, the ISO determines the appropriate visa category taking many factors into account. Once the ISO has chosen the appropriate visa category, the ISO provides the chair with the appropriate information request packet.

Sufficient lead time is critical. Generally, the ISO should receive a complete request packet from the host department at least 6 months prior to the anticipated start date to ensure adequate time for processing through relevant government agencies. Similar lead time is needed when requesting extensions of stay.

Further information is available on [ISO's web site](#).

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## Related Information

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[A Brief Primer on Doing Business Abroad: U.S. Laws that Affect GW's International Activities](#)

Details concerning this policy are posted on OGC's website, **Legal Advisory on University Sponsorship of Foreign Nationals for the H-1B Nonimmigrant and Permanent Residence Immigrant Visas**.

The legal advisory is linked to two other documents:

- **Frequently Asked Questions**
- **Legal Advisory Background Document on University Sponsorship Of Foreign Nationals for the H-1B Nonimmigrant and Permanent Residence Immigrant Visas**

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## Contacts

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| Contact                                 | Telephone    | Email  |
|---|--------------|--|
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## Document History

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- **Last Reviewed Date:** April 25, 2017
- **Last Revised Date:** March 16, 2010
- **Policy Origination Date:** October 2, 2002

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## Who Approved This Policy

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Leo M. Chalupa, Vice President for Research  
Steven R. Lerman, Provost and Executive Vice President for Academic Affairs  
Beth Nolan, Senior Vice President and General Counsel

*This policy, as well as all **university policies**, are located on the **Office of Compliance and Privacy**'s home page.*