

**UC ANR ACADEMIC HUMAN RESOURCES UNIT (AHR)
VISA – Green Card Sponsorship Guidelines and Frequently Asked Questions (FAQs)**

Revision date: 01/11/2024

[\(APM Section 530 – Recruitment Nonresident\)](#)

UC ANR is committed to hiring a diverse academic workforce. In so doing, we sponsor U.S. Permanent Residency (Green Card) applications. This process is initiated by UC ANR Academic Human Resources (AHR), with direct assistance, instruction and advice from the consultants in the UC Davis Services for International Students and Scholars (SISS) Office.

UC ANR sponsorship of permanent residency is based on the following guidelines:

- The normal time to consider sponsoring permanent residency will follow the appointee's completion of one year of continuous service with UC ANR with satisfactory performance in an eligible title series.
- How and whenever this decision is made, it will be reflected in a memo to the appointee.
- Budget availability will be a consideration.

Only academics in CE Advisor and CE Specialist title series are eligible.

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FREQUENTLY ASKED QUESTIONS:

What is the process to request UC ANR Permanent Residency sponsorship?

Once a CE Advisor or CE Specialist has reached one year of continuous service with UC ANR in an eligible title series, their performance will be assessed. As eligible, UC ANR will send a memo and initiate the Green Card process through SISS' iGlobal platform. Upon receipt of the completed iGlobal request, SISS conducts the initial evaluation and consultation. Based on the assessment, UC ANR will confirm decision to proceed and SISS will retain UC-authorized outside legal counsel to represent UC ANR, as needed. Authorization to employ outside counsel will be signed by the UC ANR Associate Vice President. Appointees may contact the AHR unit or SISS with questions.

UC policy regarding outside counsel is further explained at: <https://siss.ucdavis.edu/use-outside-counsel>.

Is there a role for the appointee's supervisor in this process?

Yes. SISS and/or outside counsel with the appointee, supervisor, AHR analyst, ANR Associate Vice President or designee, for forms completion, letters, position description, position advertisement, approval, etc. as needed.

How will UC ANR handle the backlog of eligible cases for those who have already satisfied the 1 year of service requirement?

Cases will be reviewed and prioritized by UC ANR based on a variety of factors such as date of hire, time left in H-1B status, an expectation of indefinite employment by UC ANR and the appointee, and viability of the permanent residency case based on SISS' assessment. UC ANR will then follow the Permanent Residency sponsorship process described above.

Can a Green Card be pursued when an appointee is in any immigration status?

It is generally recommended that the appointee be in H-1B status before proceeding with the Green Card application process. The H-1B category allows "dual intent" which means, although the H-1B is in a temporary non-immigrant category, the H-1B holder may also have immigrant intent.

F-1 and J-1 status/visas do not allow immigrant intent. It is possible to pursue the Green Card application while being in F or J status but further consultation to understand potential risks would be necessary.

An Appointee with additional questions is encouraged to inquire of the UCD SISS office at SISSscholar@ucdavis.edu.

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Will the appointee's definite term status have any bearing on the ANR decision to sponsor a Green Card application?

No. An appointee's trajectory through a definite to indefinite term appointment is a separate path from the Green Card application process. However, if the appointee is in a non-career track appointment due to soft-funding, Contracts & Grants will need to work with the funding partner to determine eligibility for a Green Card.

Will changes to my position description create any cause for concern related to this process?

Yes. Changes under consideration to the appointee's position, such as location, decreased salary, or job duties, shall be communicated to the AHR unit before they are implemented. It is recommended that any necessary changes to appointee's position description be implemented prior to the start of the Green Card application process. Changes could invalidate the application and require starting the process as a new matter with additional fees.

Who is responsible for the fees?

Under campus policy and/or federal regulations, UC ANR will pay for all employer applications and petitions.

The Appointee is responsible for paying the Adjustment of Status fees (final step) for themselves and any dependents. This includes the USCIS filing fee and attorney fees, if applicable. There may be other fees for which the appointee could be obliged to pay.

Why would an appointee self-petition for a Green Card?

An appointee may wish to self-petition for permanent residency, for example, if UC ANR's timeline for initiating the Green Card request does not accommodate the appointee's own timeline or if they are otherwise ineligible for UC ANR sponsorship. Through employment, individuals can self-petition under the EB-1A Extraordinary Ability or EB-2 National Interest Waiver categories.

Is legal counsel necessary for an appointee to apply for his/her own green card?

The process is technical, complex and time-consuming. For these and other reasons, an appointee is encouraged to consult with legal counsel. A list of reputable and specialized immigration attorneys is available at <https://siss.ucdavis.edu/government-legal-resources>

What resources are available to research cost and process for applying for my own green card without UC ANR sponsorship?

Appointees may follow the following web sites <https://siss.ucdavis.edu/government-legal-resources>, <http://siss.ucdavis.edu/contact.html> or US Department of Homeland Security site <https://www.uscis.gov/>