

APPENDIX A

Process Grid for Hiring Tenure Track Faculty Members who are Foreign Nationals June 30, 2020

Step One: Create Job Requisition		
Action	Notes	Responsible Party
Write Job Advertisement	<p>If you suspect your full-time tenure-track faculty position may attract highly qualified foreign national candidates, follow these important guidelines to ensure the search is compliant with government permanent residency requirements.</p> <ul style="list-style-type: none"> • Advertise in at least one national professional journal (<i>Chronicle of Higher Education</i> is an acceptable journal) • Advertisement must state at a minimum the following: employer name, job title, all work locations, duties (explicitly mention teaching if required), specific field of study required and any closely related fields, minimum requirements including when they must be met if not at the time of application, and application process. • Penn State must document the name and date(s) of publications utilized • The advertisement(s) can be print or electronic. Sample ads are available here <ul style="list-style-type: none"> ○ Print ads - obtain original tear sheet containing name and date(s) of publication ○ Electronic ad – website must qualify as national professional journal and be posted for at least 30 days • IMPORTANT: Multiple positions can run in one ad but each position must state job title, duties, minimum requirements and application process separately • More details are available here. 	Unit Leader and Search Committee Chair
Enter Requisition Request	<ul style="list-style-type: none"> • Requisition information is entered directly in Workday • Information will include recruiting instructions, advertising requests, start date, target hire date, job posting title, justification 	Hiring Manager or Manager Recruiting Support
Post Job Advertisement	<ul style="list-style-type: none"> • Talent Acquisition will process the requisition request, post advertisement in requested publications and adhere to tracking regulations 	Talent Acquisition

	<ul style="list-style-type: none"> A recruiter will contact the Hiring Manager with any questions related to the requisition or advertisement requirements 	
Step 2: Select Candidate		
Action	Notes	Responsible Party
Search and Selection	<ul style="list-style-type: none"> For foreign national hires, the hiring manager must complete the "Recruitment Summary Document" outlining in detail the complete recruitment process and give to the Departmental Contact with access to iStart and upload as part of <i>PERM / Special Handling Request</i> in iStart. This summary must include total number of applicants and specific job-related reasons why selected individual is more qualified than other candidates. At a minimum, the selected candidate's qualifications must match all requirements in the national job ad. <i>Note: The employer is only required to include the actual requirements for the position in our advertisements. If preferences are used in the ad, DOL or USCIS may challenge the selection if the individual did not meet them.</i> 	Hiring Manager
Verbal Offer and Negotiations	<ul style="list-style-type: none"> The Hiring Manager develops offer and obtains required approvals The Hiring Manager extends verbal offer to the candidate The Hiring Manager and candidate agree to a final offer 	Hiring Manager
Offer Letter Completion	<ul style="list-style-type: none"> The Hiring Manager provides candidate with the offer letter The offer letter will include start date, position, salary and other employment terms The candidate signs and returns the offer letter to the Hiring Manager For foreign national hires, the date of the first offer letter signed by the Hiring Manager and sent to the candidate constitutes the "date of selection" for visa sponsorship purposes (this letter version establishes the date of selection and must be retained and provided when initiating the iStart process, even if it is not the final version signed by the candidate) IMPORTANT: Any revisions to salary, location, rank or start date should be noted in a revised offer letter and submitted to HR. Additionally, <u>if for any reason salary is decreased</u> following the first signed offer letter, contact Global Programs FacultyAdvising@psu.edu to ensure there is no impact to visa sponsorship. 	Dean/Chancellor or Hiring Manager

Step 3: Start the Hire		
Action	Notes	Responsible Party
Initiate the Hire	<ul style="list-style-type: none"> The Hiring Manager or Manager Recruiting Support person enters hire information in Workday including start date, salary, and background screening requests For foreign national hires, if requesting visa sponsorship by PennState, indicate in the comment box in Workday that the hire should be held following initiation of the background check. The Hiring Manager or Manager Submitter emails the final offer letter signed by the candidate to the recruiter. This letter will become part of the employee personnel file. For foreign national hires, this offer letter could be different than the letter used to establish the “date of selection” in iStart (see above re: date of first offer letter). 	Hiring Manager or Manager Recruiting Support
Provide PII	<ul style="list-style-type: none"> Provide personally identifiable information (PII) in Workday. 	Employee or Foreign National
Process the Hire	<ul style="list-style-type: none"> A recruiter will review the hire details and initiate the background screenings. IMPORTANT: Workday cannot generate the PSU ID until the employee provides their PII and consents to the background screenings. For foreign national hires, no further action will be taken until the final start date is confirmed. 	Talent Acquisition
Notify Global Programs	<ul style="list-style-type: none"> For foreign national hires only, the recruiter will complete and upload in iStart [using the eForm called “Faculty Advising: Update Faculty Advising Office (Recruitment Only)”] a copy of the final offer letter signed by the candidate, the PSU ID, the ad invoice, and copy of the ad showing the 30-day run in the journal 	Talent Acquisition
Step 4: Initiate the Visa Sponsorship (for Foreign Nationals only; otherwise skip to Step 5) IMPORTANT: This step of the process should be initiated as soon as possible to ensure timely visa processing.		
Action	Notes	Responsible Party
Initiate iStart Application	<ul style="list-style-type: none"> Complete “Add New Person” eForm Complete “Faculty Advising: Visa inquiry/New Offer Notification” eForm 	Designated Department Contact

	<ul style="list-style-type: none"> • IMPORTANT: Never guess on a question! Your answers are transferred onto a US Government form 	
Process temporary work authorization (if needed)	<ul style="list-style-type: none"> • Review the “Faculty Advising: Visa Inquiry/New Offer Notification” eForm • If applicable, notify the hiring manager to complete the “New Visa H1-B” eForm. • If necessary, process a petition for the H-1B to acquire the initial work authorization for the foreign national 	International Faculty Adviser
Initiate PERM Process	<ul style="list-style-type: none"> • The PERM must be submitted to the DOL within 18 months of the date written on the first offer letter (revisions do not apply) • Review all required materials submitted in iStart by unit, including ads, recruitment summary, and offer letter. • IMPORTANT: The stated requirements listed in the job ad will be compared with employee qualifications. Any discrepancies will be relayed to the unit with recommendation to either re-recruit or prepare for possible challenge. • Submit a prevailing wage request to the DOL and wait for prevailing wage info. The prevailing wage determination has an expiration date. DOL processing time is 4-6 months 	International Faculty Adviser
Forward Notice of Filing (NOF) to Designated Departmental Contact	<ul style="list-style-type: none"> • Prepare NOF making sure to match requirements as closely as possible 	International Faculty Adviser
Post Notice of Filing	<ul style="list-style-type: none"> • Post a NOF provided by the International Faculty Adviser in the department for 15 consecutive business days 	Designated Department Contact
File PERM with DOL	<ul style="list-style-type: none"> • Submit an electronic application through web portal between 30 days and 180 days after the NOF has been removed, but no later than 18 months from the selection date • The date of submission is the ‘priority date’ for adjustment filing • The purpose of this filing is for the employer to seek certification by the DOL that the best qualified applicant was hired after a legitimate national recruitment. 	International Faculty Adviser
File I-140 with USCIS	<ul style="list-style-type: none"> • USCIS verifies that beneficiary is eligible for immigrant visa based on employment. • USCIS verifies job offer for full-time permanent employment 	International Faculty Adviser

	<ul style="list-style-type: none"> • USCIS verifies that foreign national has the necessary qualifications for the job education, requirements for the job at the appropriate time as identified in the ad (diplomas, transcripts, work experience) • IMPORTANT: With premium processing, time for processing the I-140 can be reduced significantly. Increased possibility for Request for Evidence if premium processing used 	
File I-485 with USCIS	<ul style="list-style-type: none"> • This process adjusts the status of the individual to permanent residency. • The I-485 application must be filed by the foreign national – the employer cannot process this application • The materials submitted include questionnaires about criminal, social, biographical, immigration, professional history; fingerprints; photographs; and a medical examination • Although not absolutely required, it is recommended that the employee hire an immigration attorney to assist with the filing • Int'l Faculty Advising can send the I-140 receipt notice to the foreign national. If the priority date is current per the Visa Bulletin for the category that month, the foreign national or attorney can file. This would be viewed as a concurrent filing (but adjudicated separately) with the I-140. • The purpose of this filing is for the USCIS to determine if the individual is eligible for permanent residency. 	Foreign National
Step 5: Complete Hire and Onboard Activities		
Action	Notes	Responsible Party
Enter Final Start Date	<ul style="list-style-type: none"> • Once the start date is confirmed, contact the recruiter assigned to the job requisition to enter the start date and upload a revised offer letter, if applicable. 	Hiring Manager or Manager Recruiting Support
Complete Hire in Workday	<ul style="list-style-type: none"> • The recruiter will complete the final hire steps in Workday. • Onboarding To dos will be automatically sent from Workday to the employee 	Talent Acquisition
Complete Onboarding	<ul style="list-style-type: none"> • Complete electronic onboarding To dos • Schedule and attend onboarding session (complete Form I9, provide clearances if applicable) 	Employee or Foreign National