Process Overview

- Once a decision has been made about hiring a foreign national, the hiring department should consult with FSIS as soon as possible to determine the appropriate immigration status and/or type of employment authorization [1].

- Once a determination has been made regarding the required status, the department must submit a H-1B/ TN/ E-3 Authorization Form [2] to FSIS. Once assigned, the FSIS adviser will serve as the main adviser to the department and the foreign national and will prepare and submit the relevant petition to the appropriate agency for approval. As indicated in the SPG, only FSIS may prepare and submit immigration-related petitions on behalf of the University of Michigan.

- FSIS will determine the minimum required wage for a position [3] (if applicable). If the offered wage is too low and it cannot be increased, the immigration petition may not be able to move forward.

- For some immigration status applications, including H-1B, E-3 and some green card applications, the department will be required to post information on the position and salary in a public space for 10-15 days, depending on the benefit sought. This posting is required before FSIS can proceed with the required steps involving the U.S. Department of Labor.

- As part of the process, a determination must be made whether or not an export license [4] will be required.

- The hiring department will be responsible for the governmental filing fee(s) and internal processing fee. These fees are deemed business expenses and must not be paid by the foreign national employee. Please refer to the Fees and Checks section [5] for current rates.

- FSIS will provide detailed instructions and guidance for each step of the process through the INSZoom case management system.

- Note that some case work, particularly O-1 and certain green card petitions, is done by external immigration attorneys who are part of the University’s retained immigration counsel program [6]. Only FSIS may assign a given case to retained immigration counsel.

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Links