

From: David Muusz <muusz@umich.edu>
Sent: Thursday, April 23, 2020 4:23 PM
To: ICfacultystaff <ICfacultystaff@umich.edu>
Subject: FSIS Update

Dear colleagues –

On Monday 4/20/20, President Schlissel announced several measures for the University of Michigan, including the temporary implementation of two voluntary programs for regular staff in non-critical operations. With unit approval, staff may request a voluntary furlough (unpaid leave) or a temporary reduction in effort, i.e. reduced number of work hours.

Voluntary Furlough Program:

International employees in H-1B, E-3 and H-1B1 status are subject to the specific conditions of employment as outlined in their immigration documents, including the number of hours worked. Therefore, individuals in these statuses are not eligible to participate in the voluntary furlough program, though they continue to be eligible for other types of voluntary leave initiated by the employee, e.g. FMLA. For such voluntary types of leave, it will need to be documented that the leave is due to conditions that are unrelated to employment that take the individual away from their duties or that render them unable to work, *and* is at their voluntary request and convenience.

Voluntary Effort Reduction Program:

International employees in H-1B, E-3 and H-1B1 status are eligible to participate in the voluntary effort reduction program. However, before the effort percentage can be changed from full-time to part-time (and vice versa), a petition must be filed with USCIS by FSIS. In other words, a petition must be filed to reduce the number of hours worked and another petition will be required to return to full-time effort. The cost associated with each of these petitions are the responsibility of the unit. The employee may reduce their hours or return to their original hours as soon as the relevant petitions are filed and the effective dates reached.

Executive Order on Immigration:

We continue to monitor the many developments as they pertain to immigration and international employees, including the new executive order that was also announced on Monday, 4/20/2020. On the evening of Wednesday 4/22/2020 the White House issued its actual proclamation, suspending the issuance of immigrant visas for a period of 60 days to certain individuals, effective 11.59pm on 4/23/2020.

It is important to note that, in this context, a “visa” is the document (usually a sticker in one’s passport) that permits a foreign national to apply for admission into the US. People who are already in the US do not need a “visa” to remain in the US. Furthermore, individuals coming to the US on a temporary basis are issued a *nonimmigrant* visa, such as an H-1B or J-1 visa, instead of an immigrant visa. Therefore, the impact of the proclamation on the international population sponsored by UM will be very limited.

In effect, for a limited time, consular officials at US embassies and consulates abroad will be barred from issuing immigrant visas to certain individuals. Note that most US embassies and consulates were already closed for public health reasons and are currently not issuing visas. Individuals applying for a green card within the United States are not affected by this proclamation as their applications follow a different process and protocol (i.e. "Adjustment of Status"). Further exemptions are made for certain healthcare professionals, investors and spouses of US citizens, among others. By definition, current green card holders do not need a visa and are, therefore, not affected.

The proclamation also directs the US Secretaries of Labor, Homeland Security and State to conduct a review of nonimmigrant programs and to recommend measures appropriate to stimulate the US economy and employment of US workers. As more information becomes available, we will keep you posted on any major developments. Please also review the [International Center website for updates and announcements](#).

Should you have any questions or concerns about this, please do reach out.

Sincerely,

David

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