

W&M Permanent Residency Sponsorship Agreement
(updated February 16, 2022)

This form must be completed and signed for any employee of William & Mary (hereafter referred to as “W&M”), for whom W&M will sponsor employment based permanent residency.

Employee Name	Banner ID	Position Number
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This to confirm that the above listed employee *and* position meet the criteria for sponsorship for permanent residency by W&M as outlined in the ***Employment Based Permanent Residency Policy of William & Mary*** and we endorse this application for permanent residency accordingly.

It is understood that “sponsorship for permanent residency” solely constitutes an agreement by W&M to authorize the state appointed immigration attorney to file an application for Labor Certification (PERM) and permanent residency on its behalf with the employee as the beneficiary. Sponsorship does not imply any financial agreement with regard to the above matters with the exception of payment of attorney fees and costs for the Labor Certification application or the equivalent amount toward preparation of an EB-1B I-140 Petition. Any financial arrangement beyond this is outlined in the Permanent Residency Financial Agreement and is at the discretion of the employing department and those funds can be applied to either the EB-2 or EB-1B case. Sponsorship for permanent residency is done at the sole discretion of W&M and may be withdrawn at any time in the process by W&M.

It is understood that only the state appointed immigration attorney may prepare the Labor Certification application and file an application for permanent residency on behalf of W&M. All requests must be directed through the Reves Center Office of International Students, Scholars, and Programs (ISSP).

Note on EB-2 vs EB-1B: W&M typically sponsors eligible faculty and staff for the EB-2 or EB-3 category. In some cases, sponsorship for the EB-1B category may be advantageous. In such cases, the state appointed immigration attorney will review the employee’s credentials to assess whether EB-1B has a reasonable chance of success. The employee will be advised of the potential benefits and risks.

The employee is advised that if they decide to pursue EB-1B and it is unsuccessful, the EB-2 process must be initiated and the funds allocated by the dean will be applied to the costs of Labor Certification associated with EB-2 petition. The employee will then need to personally cover the cost of the EB-1B petition.

If the EB-1B petition is approved, an EB-2 sponsorship is unnecessary, and the dean or senior manager’s office will apply the funds allocated for the EB-2 Labor Certification to the EB-1B costs.

By signing below, you acknowledge that you have read, understood, and agreed to these terms.

Dean/Senior Manager: _____
Printed Name
Signature
Date

Chair/Supervisor: _____
Printed Name
Signature
Date

Employee: _____
Printed Name
Signature
Date

Reves Center _____
Printed Name
Signature
Date

Permanent Residency Financial Agreement

This Financial Agreement for Permanent Residency Sponsorship is entered into between the _____ (Name of Sponsoring Department; hereafter referred to as Sponsoring Department) of William & Mary (hereafter referred to as "W&M") and _____ (Name of Employee; hereafter referred to as "Employee") on _____ (date).

Per federal regulation, responsibility for attorney fees and costs associated with the filing of the Labor Certification Application (Stage 1) are the responsibility of W&M. Accordingly, this financial agreement addresses reimbursement of attorney fees, U.S. Citizenship and Immigration Services (USCIS) filing fees, and costs *for Stages 2 and 3*. An estimate of fees for all three stages is outlined in the next section.

The Sponsoring Department agrees to reimburse the Employee for \$ _____ (fixed dollar amount) (amount listed may not exceed \$5000), of the remaining attorney fees, filing fees, and costs of obtaining permanent residency through employment at W&M.

If the employee resigns from W&M within three years of securing permanent residency through the university, the employee will repay the costs covered by the university for that process, with the exception of costs associated with Labor Certification. W&M reserves the right to enforce this obligation through restrictions on reimbursements, garnishment of wages, and any other available means.

Employee will be direct billed by the attorney for all fees associated with this application with the exception of the attorney fee for the filing of the Labor Certification Application, which is billed directly to W&M.

Employee understands and agrees that they are solely responsible for the attorney' fees and costs for their spouse and children. Employee will be required to pay these directly to the attorney providing such services.

Employee understands that USCIS may raise the amount for filing and related government fees.

Upon W&M's request, Employee agrees to provide W&M with complete copies of all documents filed on their behalf. W&M agrees to maintain the confidentiality of such documents to the extent required by law.

Sponsoring Department and Employee acknowledge that they have read and understand the terms of this Agreement, and have freely chosen to sign this Agreement after carefully considering its terms.

Dean/Senior Manager: _____
Printed Name Signature Date

Chair/Supervisor: _____
Printed Name Signature Date

Employee: _____
Printed Name Signature Date

Copies of this agreement will be filed with the Department Chair and Academic Dean/Senior Manager. A copy will also be given to the Employee.

Addendum C: Schedule of Attorney and Government Fees and Related Costs
(as of February 16, 2022)

EB-2, EB-3: Employment Based Permanent Residency Sponsorship Fees & Costs

Stage 1: Labor Certification (PERM). The attorney fee for this stage will depend on the type of position (teaching or non-teaching) and whether Labor Certification can be based on the original selection or if reselection is required. Attorney fees are set by the state and per federal regulations, the cost of **Stage 1 is the responsibility of the sponsoring department.**

Stage	Fee	Description
EB-2 Labor Certification (teaching faculty – non reselection)	\$2100	Attorney fee for the filing of the labor certification application when the original search can be used (i.e., selection was completed within past 18 months and search process included required ad).
* EB-2 Labor Certification (teaching faculty – reselection)	\$2500	Attorney fee for the filing of the labor certification application when reselection must be conducted because selection took place more than 18 months ago or the ad requirements in the original search were not met.
* EB-2 or EB-3 Labor Certification (non-teaching faculty and staff)	\$3100	Attorney fee for the filing of the labor certification application for a non-teaching position, includes assistance with a recruitment process.

* Advertising for reselection	Typically \$1000	Estimated cost for advertising and reselection/recruitment
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Subtotal: \$2100, [*\$2500 or *\$3100 + \$1000 for reselection/recruitment]

Stage 2: Immigrant Petition for Alien Worker I-140. Stage 2 is billed to the employee.

Stage	Fee	Description
I-140: Immigrant Petition for Alien Worker	\$1500	Attorney fee for the filing of the I-140 Immigrant Petition for Alien Worker
	\$700	USCIS Fee: I-140 Immigrant Petition for Alien Worker
*Premium Processing	\$2500	Premium processing is an optional service that allows petitioners to request 15-day processing of the I-140 if they pay an extra fee. Petitioner can discuss with attorney about whether premium processing would be a good option to pursue.

Subtotal: \$2200 or *\$4700

Stage 3: Adjustment of Status I-485: These are the **estimated** costs of adjusting or “changing” status from a temporary status to permanent resident. Consular processing is an alternative, albeit less frequently used option. **Stage 3 is billed to the employee.**

Stage	Fee	Description
I-485: Application for Adjustment of Status	\$2100	Attorney fee for the filing of I-485 Application for Adjustment of Status (for employee and spouse)
	\$1140	USCIS fee: I-485 Application for Adjustment of Status. Includes I-765, I-131
	\$85	USCIS fee: Biometric processing fee
	\$300	Medical examination fee (exam conducted by a civil surgeon certified by USCIS) for the I-693. This fee is an estimate. Actual cost will depend on the provider. There is no USCIS filing fee for the I-693

Subtotal: \$3625

Estimated Total for EB-2 or EB-3	\$7925 – \$12425
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EB-1B: Employment Based Permanent Residency Sponsorship Fees & Costs

Stage 1: Immigrant Petition for Alien Worker I-140: This fee is higher because in lieu of a Labor Certification petition, the attorney must document extraordinary ability. **Stage 1 is billed to the employee.**

Stage	Fee	Description
I-140: Immigrant Petition for Alien Worker	\$4500	Attorney fee for the filing of the I-140 Immigrant Petition for Alien Worker
	\$700	USCIS Fee: I-140 Immigrant Petition for Alien Worker
*Premium Processing	\$2500	Premium processing is an optional service that allows petitioners to request 15-day processing of the I-140 if they pay an extra fee. Petitioner can discuss with the attorney about whether premium processing would be a good option to pursue.

Subtotal: \$5200 or *\$7700

Stage 2: Adjustment of Status I-485: These are the **estimated** costs of adjusting or “changing” status from a temporary status to permanent resident. Consular processing is an alternative, albeit less frequently used option. **Stage 2 is billed to the employee.**

Stage	Fee	Description
I-485: Application for Adjustment of Status	\$2100	Attorney fee for the filing of I-485 Application for Adjustment of Status (for employee and spouse)
	\$1140	USCIS fee: I-485 Application for Adjustment of Status. Includes I-765, I-131
	\$85	USCIS fee: Biometric processing fee
	\$300	Medical examination fee (exam conducted by a civil surgeon certified by USCIS) for the I-693. This fee is an estimate. Actual cost will depend on the provider. There is no USCIS filing fee for the I-693

Subtotal: \$3625

Estimated Total	\$8825 or *\$11,325
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