

W&M Permanent Residency Sponsorship Agreement

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

| | | |
|-----------------------|-------------------|-------------------------|
| Employee Name: | Banner ID: | Position Number: |
|-----------------------|-------------------|-------------------------|

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 the College of William and 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 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 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 Sponsorship for permanent residency is done at the sole discretion of W&M and may be withdrawn at any time in the process by W&M.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 permanent faculty and professional employees for the EB-2 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 s/he decides 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, EB-2 sponsorship is unnecessary and the dean’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.

Signatures

Dean:

| | | |
|--------------|-----------|------|
| Printed Name | Signature | Date |
|--------------|-----------|------|

Chair:

| | | |
|--------------|-----------|------|
| 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 Academic Department; hereafter referred to as Academic Department) of the College of William and Mary (hereafter referred 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 Academic Department agrees to reimburse the Employee for \$ _____ (fixed dollar amount) or _____%, (amount listed may not exceed \$5000), of the remaining attorney fees, filing fees, and costs of obtaining permanent residency through employment at W&M.

Employee agrees to repay W&M any funds received from it for this application for permanent residency, if he/she fails to continue employment with W&M for at least 3 years beyond the date of application. 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 attorney' fees and costs for his/her spouse and children are his/her sole responsibility and Employee will be required to pay these directly to the attorney providing such services.

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

Academic 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.

Signatures

Academic Dean: _____
Printed Name Signature Date

Department Chair: _____
Printed Name Signature Date

Employee: _____
Printed Name Signature Date

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

EB-2: Employment Based Permanent Residency Sponsorship Estimated Costs

| <u>Stage</u> | <u>Fee</u> | <u>Description</u> |
|---|---------------|--|
| Stage 1: Labor Certification | \$2000 | <i>Attorney fee for the filing of the labor certification application. Per federal regulation effective July 16, 2007, this fee is billed to and paid by W&M.</i> |
| Stage 2: I-140: Petition for Immigrant Worker | \$1500 | <i>Attorney fee for the filing of the I-140 Immigrant Petition for Alien Worker.</i> |
| | \$580 | USCIS Fee: I-140 Immigrant Petition for Alien Worker. |
| Stage 3: I-485: Application for Adjustment of Status | \$1500 | <i>Attorney fee for the filing of I-485 Application for Adjustment of Status</i> |
| | \$985 | USCIS fee: I-485 Application for Adjustment of Status. Filed concurrently or subsequent to the I-485, the following applications have no filing fee. <ul style="list-style-type: none"> • I-765 Application for interim work authorization. • I-131 Application for interim travel permission. |
| | \$85 | USCIS fee: Biometric processing fee |
| | \$250 | 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. |
| Total | \$6900 | TOTAL estimated cost |
| | -\$2000 | Attorney fee for Labor Certification which is billed to W&M. |
| | \$4900 | Total estimated remainder to be covered by Employee and/or Department |

EB-1B: Employment Based Permanent Residency Sponsorship Estimated Costs

| <u>Stage</u> | <u>Fee</u> | <u>Description</u> |
|---|---------------|--|
| Stage 1: I-140: Petition for Immigrant Worker | \$4500 | <i>Attorney fee for the filing of the I-140 Immigrant Petition for Alien Worker.</i> |
| | \$580 | USCIS Fee: I-140 Immigrant Petition for Alien Worker. |
| Stage 2: I-485: Application for Adjustment of Status | \$1500 | <i>Attorney fee for the filing of I-485 Application for Adjustment of Status</i> |
| | \$985 | USCIS fee: I-485 Application for Adjustment of Status. Filed concurrently or subsequent to the I-485, the following applications have no filing fee. <ul style="list-style-type: none"> • I-765 Application for interim work authorization. • I-131 Application for interim travel permission. |
| | \$85 | USCIS fee: Biometric processing fee |
| | \$250 | 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. |
| Total | \$7900 | TOTAL estimated cost |
| | -\$2000 | Portion of attorney fee for I-140 Preparation covered by W&M <i>if the petition is successful.</i> |
| | \$5900 | Total estimated remainder to be covered by Employee and/or Department |

