



Masonic Cancer Center

UNIVERSITY OF MINNESOTA

Comprehensive Cancer Center designated by the National Cancer Institute

## ADMINISTRATIVE POLICY

# Non Permanent Resident Employees

Policy Type:  
Human Resources

Policy Owner(s):  
Human Resources Manager

Policy contacts:  
[Melissa Daufelt](#)

Revised:  
Reviewed: 04/09/18  
Effective Date: 10/01/15

## POLICY STATEMENT

MCC HR ([cchr@umn.edu](mailto:cchr@umn.edu)) is the designated department contact for all visa petitions. Policy is driven by information about J1 Exchange Visitors, H-1B Employment and Permanent Residence which is available on the International Student & Scholars Services (ISSS) website and is subject to change: <http://www.iss.umn.edu/Departments/depindex.html>.

### Visas

**Administrative Positions:** MCC normally does not provide H-1B visa sponsorship for administrative positions or positions in our shared resources. The rare exception could be made for a position that requires highly specialized skills and the University has been unable to find a qualified U.S. worker with those skills.

**Research Positions:** Faculty may choose to invite J-1 Research Scholars or provide H-1B visa sponsorship for specialized research positions in their independent laboratories. All costs associated with application and processing fees, and other terms of the agreement (such as travel costs to return to home country), are the responsibility of the faculty mentor and must be paid from non-sponsored funds. Application/petition fees are under the administration of ISSS and USCIS and subject to change at any time.

### Permanent Residency

**PERM (Permanent Labor Certification):** MCC does not sponsor foreign national employees in obtaining permanent residence through the PERM process which requires certification that no qualified U.S. workers are available.

**Outstanding Researcher:** Requests to assist or sponsor a foreign national in obtaining permanent residence through outstanding researcher (EB-1) petition are evaluated on a case-by-case basis and subject to approval from the MCC Administrative Director and Director. Per ISSS and Office of General Counsel (OGC) policy:

1. The employment must be long-term, indefinite in duration. The department must be able to commit to at least **3 years** of employment and funding starting from the date the department informs the OGC in writing of their intention to sponsor the employee.

2. The position must be **non-training** in nature. Training positions (e.g., postdoctoral associates, medical residents, student employment) are by definition temporary, and unsuitable for permanent residence applications.

Any costs associated with a permanent residency petition are the responsibility of the faculty mentor and must be charged to non-sponsored funds.

*Department policies are prepared as a supplement to University rules and contracts. Any conflict is inadvertent and University rules and contracts take precedence in all cases.*