

Visa Sponsorship Eligibility Questionnaire

This questionnaire is designed to gather essential information to assess the eligibility and justification for sponsoring a staff member's visa. Please complete all relevant sections and provide any additional information that may be pertinent to the visa sponsorship request.

Date:

Manager's Name:

Department:

Reason for sponsoring staff member position:

- Employment (new hire)
- Existing employee requires sponsorship
- Transfer within the university
- Skill shortage in the local labor market
- Other (please specify)

Position Title:

Staff member's name (if current employee requires sponsorship):

1. Briefly describe what qualifications and experience are required for the position. What type of specialized training is necessary to do the work of this position? Please see appendix for details on what qualifies as a specialty occupation and what requirements a candidate must hold to qualify for a specialty occupation. Please comment on the following:

-Education background:

-Relevant work experience:

-Specialized skills or certifications:

2. If there is a staff member currently in the position that requires sponsorship, what are the staff member's qualifications for the position?

-Education background

-Relevant work experience

-Specialized skills or certifications

3. Does the position require a specialized skillset essential for the operations or projects of the department or office? If yes, what are the necessary specialized skills?

Yes

No

Partially

Explanation:

4. How does sponsoring this visa align with the company's objectives and goals?

5. What is the prevailing wage for this occupation in the geographic area where the employee will be working? How does the offered wage meet or exceed this prevailing wage?

Department's Commitment:

1. How does the department plan to support the sponsored staff member during their visa application process and relocation, if applicable?

- Providing necessary documentation and information
- Offering assistance with immigration procedures
- Providing housing or relocation assistance
- Other (please specify)

2. What measures will the department take to ensure compliance with visa regulations and obligations?

- Regular monitoring of visa status
- Providing necessary training for compliance
- Designating a point of contact for visa-related matters
- Other (please specify)

Financial Considerations:

Please reference Clark's policy on immigration sponsorship for funding responsibilities

1. What are the financial implications of sponsoring this visa for the department?

- Visa application fees
- Legal fees
- Salary and benefits for the sponsored staff member
- Other (please specify)

2. How does the department plan to manage the financial aspects associated with sponsoring this visa?

- Budget allocation
- Seeking reimbursement from the sponsored employee
- Other (please specify)

Additional Questions:

1. Do you understand the restrictions on H-1B employment, such as the 6-year maximum period of stay and the requirement to pay for the employee's return transportation if you terminate their employment?

2. If the H-1B employee has a spouse and/or minor children, are you familiar with the H-4 dependent visa requirements and the limitations on their employment authorization?

3. What is your plan to eventually transition this H-1B employee to permanent residency, if desired, through the green card process?

Additional Comments/Notes:

Appendix

[USCIS Eligibility Criteria for H1B employment status](#)

The occupation requires:

- Theoretical and practical application of a body of highly specialized knowledge; and
- Attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

The position must also meet one of the following criteria to qualify as a specialty occupation:

- Bachelor's or higher degree or its equivalent is normally the minimum entry requirement for the particular position
- The degree requirement is common to the industry in parallel positions among similar organizations or, in the alternative, the job is so complex or unique that it can be performed only by an individual with a degree
- The employer normally requires a degree or its equivalent for the position

- The nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with the attainment of a bachelor's or higher degree.

For an employee to qualify to perform services in a specialty occupation, the employee must meet one of the following criteria:

- Employee must be fluent in English.
- Hold a U.S. bachelor's or higher degree required by the specialty occupation from an accredited college or university
- Hold a foreign degree that is the equivalent to a U.S. bachelor's or higher degree required by the specialty occupation from an accredited college or university
- Hold an unrestricted state license, registration, or certification that authorizes employee to fully practice the specialty occupation and be immediately engaged in that specialty in the state of intended employment
- Have education, specialized training, and/or progressively responsible experience that is equivalent to the completion of a U.S. bachelor's or higher degree in the specialty occupation, and have recognition of expertise in the specialty through progressively responsible positions directly related to the specialty