Policy Number: 413
Policy Title: Employment of Foreign Nationals
Policy Council Review Date(s): 10/21/10; 1/15/14
PPAB Approval Date: 11/16/10

POLICY:
The employment and/or payment of foreign nationals shall be in compliance with all applicable federal laws and shall comply with all relevant visa restrictions.

PROCEDURE:
Occasionally it may be crucial and desirable to employ foreign nationals into faculty or classified (professional & administrative and staff) positions. The employment of individuals who fall into the definition of this immigration status will be in compliance with all University System of Georgia Board of Regents’ hiring policies and the appropriate U. S. government laws and regulations.

- **Foreign national:** According to the United States Department of Homeland Security a foreign national is defined simply as, "An individual who is a citizen of any country other than the United States. A person who was born outside the jurisdiction of the United States, is a citizen of a foreign country, and has not become a naturalized U.S. citizen under U.S. law." This includes Legal Permanent Residents (also known as Permanent Resident Aliens).

- **Citizenship:** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state where they reside. Most people become U.S. citizens in one of the following ways:
  - By birth, either within the territory of the United States or to U.S. citizen parents, or
  - By naturalization,
  - By adoption of any child under the age of eighteen (18) by a U.S. citizen when the child immigrates to the U.S. to acquire immediate citizenship.

- **Permanent Resident Alien:** The United States Citizenship and Immigration Services (USCIS) define an alien admitted to the United States as a lawful permanent resident. Lawful permanent residents are legally accorded the privilege of residing permanently in the United States. They may be issued immigrant visas
by the Department of State overseas or adjusted to permanent resident status by U.S. Citizenship and Immigration Services in the United States.

Georgia Perimeter College shall only employ those individuals who are authorized to work in the United States in accordance with federal and state laws. At the present time, GPC will limit any sponsorship or hiring of foreign nationals or non-resident aliens who seek employment through an employment-based immigrant visa defined under any of the United States Department of State’s five employment based preference categories. Any exception will be based upon critical need and requires the approval of the Vice President for Academic Affairs and the Executive Vice President for Financial and Administrative Affairs.

If a critical need exists, the Human Resources Department shall verify the eligibility of persons for employment, including completion of the USCIS I-9/Employment Eligibility Form, within 72 hours of employment. The Human Resources Department will communicate to employees the requirement that employees are responsible for maintaining authorization to work in the United States for the duration of their employment, including re-certification as necessary.