Office of International Affairs (OIA)

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OVERVIEW OF EMPLOYMENT-BASED PERMANENT RESIDENCY AT UTHSC

Employment Based 1 (EB-1)

Self-Sponsored

Extraordinary Ability

Applicant must have extensive documentation showing sustained national or international acclaim and recognition in field of expertise.

No specific job offer needed as long as entering the United States to continue work in the field in which applicant has extraordinary ability.

Needs immigration attorney - does not need authorization from OIA or Department Sponsor.

Petition is portable — not tied to UTHSC.

UTHSC-Sponsored

Outstanding Researcher or Professor

ONLY UTHSC OIA MAY FILE THIS TYPE OF CASE.

Applicant must have extensive documentation showing sustained national or international acclaim and recognition in field of expertise.
Job offer must be permanent in nature, either tenured or tenure-track faculty position or non-tenure track faculty/Research Associate with an expectation of long-term employment.
Department Sponsorship and OIA authorization required — OIA compiles and files the case.
Petition tied to UTHSC.

Employment Based 2 (EB-2)

Self-Sponsored *or* UTHSC-Sponsored

National Interest Waiver

No specific job offer needed. Labor Certification waived in the NATIONAL INTEREST if the petitioner can show that his or her skills are critical and that the subject matter of research will substantially benefit the US.

If self-sponsored, needs immigration attorney - does not need authorization from OIA or Department Sponsor. Petition is portable — not tied to UTHSC. However, must continue to satisfy the foundation presented in the petition.

If UTHSC-sponsored, OIA will handle petition. Tied to UTHSC.

UTHSC-Sponsored

Labor Certification (PERM)

ONLY UTHSC OIA MAY FILE THIS TYPE OF CASE.

Job offer must be permanent in nature and require at minimum a MASTER's degree.

Initial certification by Department of Labor required.

If minimally qualified U.S. worker applies, may have to stop sponsorship process.

Department and OIA authorization required — OIA compiles and files the case.

Petition tied to UTHSC for a standard period of time as set by federal regulations.

Special Handling Labor Certification (PERM)

Same as General Labor Certification except:

Applicable for employees who are faculty members with teaching duties

Initial certification by Department of Labor required. Labor Certification application must be filed within 18 months of date of offer letter

UTHSC must have conducted a competitive recruitment and selection process and be able to document that the applicant was the most qualified applicant.

Employment Based 3 (EB-3)

UTHSC-Sponsored

Labor Certification (PERM)

ONLY UTHSC OIA MAY FILE THIS TYPE OF CASE.

Job offer must be permanent in nature and require bachelor's degree.

Initial certification by Department of Labor required.

Department and OIA authorization required — OIA compiles and files the case.

Petition tied to UTHSC for a standard period of time as set by federal regulations.