Processing Non-Citizen Employees and Students for Employment

Policy

UTMB must verify the employment eligibility of all persons hired and must not knowingly hire or continue to employ any person not authorized to work in the United States. In compliance with applicable federal and state laws and regulations, UTMB strives to maintain an environment which does not discriminate against applicants or employees on the basis of race, color, national origin, sex, age, religion, disability, sexual orientation, or veteran status.

Non-compliance with this policy will result in disciplinary action for hiring authority and immediate termination of employment of any employee failing to provide documentation of employment eligibility within required time period.

Guidelines for Employees

Note: No offer of employment is complete and binding until all procedures for verifying that applicants are either United States citizens or residents, or are non-immigrants who are legally authorized for employment in the United States are met.

1. The Office of International Affairs is the sole agent authorized to prepare and file employment-based non-immigrant visa petitions and must, at a minimum, sign all immigrant visa petitions based on an offer of full-time UTMB employment before they are filed with U.S. Citizenship and Immigration Services (USCIS) for non-citizens employed at UTMB.
2. The International Affairs Manager or his/her delegate verifies all offers of employment or assignment of duties to non-immigrants to ensure compliance with State and Federal visa and employment regulations.
3. Prior to reporting for duty, all non-immigrants must complete an Employment Eligibility Verification Form (Form I-9) at the International Office where it will also be verified that:
    a. the applicant's visa documents are in compliance with State and Federal regulations, and;
    b. the applicant has been authorized by the USCIS to accept employment at UTMB.
4. It is the responsibility of all non-immigrant visa holders employed at UTMB to:

Guidelines for Employees (cont'd)

a. maintain legal status allowing them to reside and work in the United States,
b. comply with the regulations of the USCIS at all times, and
c. comply with Internal Revenue Service taxation regulations.

In the event that the employment authorization of a non-immigrant visa holder expires or ceases to be valid, his or her employment with UTMB must be terminated effective the day after the employment authorization expires. Upon receipt of documentation establishing that employment authorization has been restored the non-immigrant visa holder may be re-appointed effective the date of receipt of such original documentation by the International Office.

Guidelines for Employed Students

The Office of International Affairs and the Office of the Registrar are responsible for issuing visa documents for students at UTMB.

- The Office of the Registrar is the sole agent authorized to issue Form I-20 and prepare and submit requests for extension, change of status, and employment authorizations for international students holding F-1 or F-2 status sponsored by UTMB.
- The Office of International Affairs is the sole agent authorized to issue documents to J-1 exchange visitor students and scholars for visa applications, extensions, transfers, etc.
- The Office of International Affairs is responsible for monitoring the employment of F-1 or F-2 students on campus and will liaise with the Registrar on such employment.

References

Immigration and Nationality Act § 274A; 8 U.S.C. 1324a
8 C.F.R. Part 274a
Immigration and Reform and Control Act of 1986