

**Office of International Student,  
Faculty, and Staff Services**

Reed Hall, 1<sup>st</sup> Floor  
1620 McElderry Street  
Baltimore, MD 21205  
(410)955-3371/FAX (410) 955-0871  
[www.hopkinsmedicine.org/intlsvcs](http://www.hopkinsmedicine.org/intlsvcs)

The office of International Student, Faculty & Staff Services (OIS) at the Johns Hopkins Medical Institutions (JHMI) and the Johns Hopkins Health System (JHHS) is the only agent authorized to represent the JHMI and JHHS with regard to the hiring of non-immigrant aliens for Schools, departments and administrative offices. This includes the authority to submit employment-based adjustment of status petitions to the U.S. Citizenship and Immigration Services (CIS) on behalf of foreign nationals seeking U.S. Lawful Permanent Resident (LPR) status.

There are certain employment-based permanent residency petitions that REQUIRE a job offer letter to be submitted from, or on behalf of, JHMI & JHHS. Pursuant to Institutional guidelines and policies, as well as Federal government regulations and requirements, the OIS has the authority to accept or decline the filing of such petitions that require a job offer letter. There are alternative employment-based petitions that DO NOT REQUIRE a job offer letter or employer sponsorship. With regard to these cases, the foreign national may choose to submit a petition on his/her own and/or with the assistance of an attorney, without any employer sponsor. However, even in these cases that do not require an employer sponsor, it is extremely important that the OIS is aware of the filing as it may have serious implications on the international's status with the United States.

**The OIS MUST approve, sign, and submit the petition to USCIS for the following preference categories and must process them in-house unless OIS authorizes an outside attorney to assist:**

- ❖ EB-1(B): Outstanding researchers and professors who are internationally recognized, have had a minimum of three years of experience, and have been offered a tenured, tenure-track, or long-term research position comparable to tenure-track at a university or research institution. No labor certification is required. A job offer IS required.
- ❖ EB-2: Members of the professions holding advanced degrees or aliens of exceptional ability in the sciences, arts, or business. "Advanced degree" is defined as any academic or professional degree or foreign equivalent above the U.S. baccalaureate. In some cases, a baccalaureate plus five years of appropriate experience can be counted as a master's degree. A Permanent Labor Certification and a job offer ARE REQUIRED. In all instances, use of an outside attorney is required to process the Permanent Labor Certification, as well as preparation and filing of Form I-140. OIS does not perform this service.
- ❖ EB-3: Skilled workers, professionals, and other workers. Professionals who do not hold advanced degrees, but who hold licenses, certificates, or other professional qualifications. A Permanent Labor Certification and a job offer are REQUIRED. In all instances, use of an outside attorney is required to process the Permanent Labor Certification, as well as preparation and filing of Form I-140. OIS does not perform this service.

**The OIS MUST be informed of an international's filing for any of the following preference categories, but the OIS is not responsible for the filing of the petition with USCIS since no employer sponsor is required. If an employer sponsor is used to add merit to the case, however, and the "Johns Hopkins University" or "Johns Hopkins Health System" will be listed as the petitioner on the Form I-140, then OIS must authorize outside counsel to represent JHMI and JHHS.**

- ❖ EB-1(A): Persons with extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and who will prospectively be of substantial benefit to the United States. No labor certification is required. No job offer is required.

*<sup>1</sup>The OIS will NOT file petitions for EB-2 or EB-3 preference categories because they require Permanent Labor Certifications. However, since a job offer letter is also required, clearance must be obtained by the OIS and the appropriate Dean, Department Chairman, or other top-ranking official in the school or institution before any case may be forwarded to an external attorney. In addition, the foreign national must give the attorney permission to release information about the petition to the OIS upon request. [NOTE: Attorney fees incurred are the responsibility of the individual beneficiary AND his/her department. Effective July 2007, the employer must pay all associated fees for labor certification and recruitment. These costs can not be recouped from the foreign national.]*

- ❖ EB-1(C): Multi-national executives and managers who have been employed outside of the United States for at least one year within the three years immediately preceding entry into the U.S. and are or will be employed in an executive or managerial capacity for that same employer or its subsidiary, branch, or affiliate in the U.S.
- ❖ EB-2 (National Interest Waiver): Aliens of exceptional ability in the sciences, arts or business whose presence and activities in the U.S. are in the national interest. A job offer is NOT required and the labor certification is waived.

### **Criteria for Immigration Sponsorship by the JHMI & JHHS**

Pursuant to internal JHMI & JHHS policy, the following criteria must be met in order to establish eligibility for immigration sponsorship by the JHMI:

Non-faculty employees must hold senior staff positions (Job Classification 4 or above) and have been employed at the JHMI/JHHS in H1B1 status for at least two years.

Faculty members must hold the rank of Assistant Professor and above for sponsorship by the **School of Medicine** and /or the **School of Nursing**. Faculty members must hold the rank of Assistant Scientist or above for sponsorship by the **Bloomberg School of Public Health**.

*Exceptions to these guidelines are considered for extraordinary circumstances on a case-by-case basis and must be approved by the Dean, Department Chairman, or other top-ranking official in the school or institution and by the OIS.*

### **General Application Procedures**

The following steps must be followed in order to be considered for sponsorship for U.S. Law Permanent Resident status by the JHMI/JHHS:

The department seeking to sponsor the alien must contact the OIS to schedule an appointment with the Director of the OIS. The sponsoring faculty member or Department Director is strongly encouraged to participate in this meeting.

Upon review of the foreign national's credentials and OIS policy, the OIS will make a determination regarding whether or not the foreign national meets Institutional and Federal guidelines for sponsorship.

If the OIS determines that the foreign national does meet Institutional and Federal guidelines for sponsorship, the OIS will advise the foreign national to secure the appropriate written permission.

For the School of Medicine, the sponsoring department must submit a formal written request to the Dean of the School of Medicine requesting permission for such sponsorship. The Dean reviews all requirements according to the Dean's guidelines.

For the other professional schools (i.e., the Bloomberg School of Public Health and the School of Nursing) and the Johns Hopkins Hospital, a Department Chairman or Hospital Department Director must provide written permission to the OIS in order for the office to proceed with the adjustment of status process <sup>2</sup>.

Once appropriate permission has been granted, the sponsoring department and the beneficiary may begin gathering and submitting all required forms and documentation pursuant to the preference category in which he/she will be applying.

All questions regarding sponsorship for nurses must be directed to Nurse Recruitment – the OIS does not handle any aspect of these applications. <http://www.hopkinsnursing.org/international-nurses/index.html>

<sup>2</sup> **JHHS petitioners are required to use the services of Taylor & Ryan, LLC. At the present time, JHMI does not have an exclusive agreement with any firm.**

**Taylor & Ryan, LLC**

Commercentre East, Suite 280

1777 Reisterstown Road, Baltimore, MD 21208

Phone: 410.486.5800 Fax:410.602.2156

Email:info@taylor-ryan.com Internet: <http://www.ryanimmigrationlaw.com>