

530-0 **Policy**

The employment of noncitizens by the University is governed by certain acts of Congress and regulations of the U.S. Immigration and Naturalization Service regarding certain types of visas and work permits, and certain statutes of the State of California with which it has been the policy of The Regents to comply.

530-4 **Definition**

Noncitizen as used in this section refers to a person who is not a citizen of the United States.

530-12 **Exceptions**

Any alien who meets one or more of the following criteria is exempted from the prohibitions on employment of noncitizens:

- a. A member of the faculty or teaching force of the University, interpreted to mean a person employed primarily as a teacher, researcher, translator or reader.
- b. A specialist or expert temporarily employed to perform work on a special investigation requiring a high degree of technical skill. Temporary employment is interpreted as employment for any period of time on work performed in the execution of a contract to which The Regents is a party, the expiration of which contract will result in termination of the employee's service.
- c. A professional person who has declared an intention to become a citizen of the United States.
- d. A professional librarian.
- e. A professional person duly licensed by the State and employed in a hospital or clinic operated by the University. (California Labor Code, Sec. 1940-44)

530-13 Sponsorship of Immigration

Under the Immigration and Nationality Act, 1953, the University may, in certain circumstances, sponsor immigration of noncitizens to the United States. In addition, there is provision for the transfer in status of noncitizens already within the United States from visitors to permanent immigrants. In undertaking such actions, the University assumes a responsibility of some magnitude.

It is University policy that no sponsorship shall be assumed except in behalf of individuals whose distinguished merit and superior ability can be adequately established. Further, that sponsorship will not normally be assumed except for individuals to whom the University has offered, or intends to offer, an appointment that carries the expectation of continued employment under conditions applying to regular faculty or other University appointees. Chancellors have authority to determine in individual cases whether or not University sponsorship will be assumed.

In accordance with this policy, no department, college, individual, or other unit of the University may initiate permanent immigration procedures, or correspond with any government agency in connection with any sponsorships or petitions to transfer status of visitors without the approval of the Chancellor.

The Chancellor will not authorize permanent immigration procedures in cases where, in the Chancellor's judgment, the purposes of the University may be served equally well by temporary visa procedures.

On a campus where there is a Foreign Student Advisor, the Foreign Student Advisor will assist in the preparation and filing of the necessary papers, following the authorization of any such actions by the Chancellor.

530-20 Condition of Employment

The acquisition of health insurance is a condition of employment for all alien employees except those persons in the United States on Permanent Immigrant Visas. For further information, see President's memoranda dated 2/27/63 and 8/15/63 on the subject.