Office of Faculty Administrative Services (OFAS)

Information Session

October 14, 2021
Green Cards for Teaching Faculty
- Parker Emerson, Associate Director, Office of International Students and Scholars (OISS)
- Mihwa Lee, Senior Advisor, Office of International Students and Scholars (OISS)

Updates and Reminders

Academic Leaves
- General Procedures
- Changes, cancellations, and costing changes
Green Cards for Teaching Faculty

Parker Emerson, Associate Director OISS
Mihwa Lee, Senior Adviser, OISS
AGENDA

- What’s new, what’s not
- All OISS green card information is on OISS web
- Overview of entire green card process, and costs
- Focus on EB-2 Green Cards
- Communication with OISS
- Q&A
What’s New?

- OISS green card cases: now both Mihwa Lee and Parker Emerson
- Evolving Use of Outside Counsel
- More scrutiny of recruitment advertisements
- Department of Labor still slow and unforgiving
What’s Not New

- OISS does two types of green cards when the position is permanent/long-term:
  - EB-1 Achievement based (for faculty or researchers - huge preparation involved)
  - EB-2 Labor Certification (also known as PERM - based on recruitment/search)
    - Most common for newly recruited faculty
    - Positions with some “teaching” responsibilities
    - FYI:
      - Sr Lectors, Curators and Librarians may also qualify
      - All others do not qualify (occasional Exceptions Committee M&P case)
- When OISS is notified, process starts automatically for ladder-track faculty
- More on EB-2
  - Start to finish an EB-2 can take more than 2 years
  - Very specific deadline: 18 months from date of ORIGINAL OFFER (not a revision) issuance
H and Green Card Start Simultaneously

H-1B Visa
- Gets faculty here on time to teach

Green Card
- Takes years, but allows them to stay permanently
General Green Card Process

- EB-2 or EB-1 preparation = I-140 Approval
- Fac Member, Family Members & Attorney: Adjustment (I-485)
- Work Permit, then Green Card

H-1B Must Continue Throughout
EB-2 First Steps

Advertisements
- Posted in JOURNAL
- Evidence of dates posted
- Meets DOL requirements

Offer Letter
- Expires 18 months from the original offer date
- Government processing requires 8-10 months prior to the offer letter expiration*

*Therefore, the real deadline is to get OISS the offer letter no later than 6 months from issuance of the “original” (not revision)
18 Month Deadline

- OISS Gets Offer Letter
- OISS Evaluates if Ads meet DOL standards
- Obtain Prevailing Wage (7-10 months)
- Complete Notice of Posting (physical posting in dept)
- Submit PERM to DOL
Inform OISS

- Share the ad draft before it is posted
  - If you know there will be international candidates, or
  - If at least one finalist is international candidate
  - In some cases the ad must be re-posted
- OISS can talk to candidates about transition/ family issues pre-offer
- Send OISS list of finalists if it appears to include international
- If an offer is issued to an international - send OISS copy
- 18-month deadline from OFFER - not start date
Problem Areas

- If offer includes appointment prior to Assistant Professor
  - Still have 18 month offer deadline (regardless of AP start date)
- Advertisement content does not meet DOL requirements
  - Best = Mention field/department, imply teaching, require Ph D
- Advertisements not in “professional journal” (if in doubt put in Chronicle of Higher Education)
- Candidate did not have requirements at time of offer (e.g. ABD no degree)
- Letter is a “revision” and the original letter has past the 18-month deadline
- Missed deadline:
  - Must do again as “test of labor market”, or
  - Evaluate if EB-1 would work
Green Cards for Teaching Faculty
- Parker Emerson, Associate Director, Office of International Students and Scholars (OISS)
- Mihwa Lee, Senior Advisor, Office of International Students and Scholars (OISS)

Updates and Reminders

Academic Leaves
- General Procedures
- Changes, cancellations, and costing changes
Copies of presentations

These presentations will be sent via email following the session.

They will also be posted on the OFAS website:

- Administrative Processes menu > Resources
Deadlines for approving transactions in Workday: October–May

• FAS – 9th of every month
• Professional schools – 15th of every month
• To allow time to
  ✓ Check supporting documents
  ✓ Obtain approvals from the Offices of the FAS Dean and the Provost
  ✓ Check entry in Workday

Transactions in **Workday** that are more than 1 month old and missing supporting documents may be sent back.
Payroll Schedule:
- All academics are paid Monthly.
- Dates are available online at Payroll Schedule: Productio and Paycheck Dates | It's Your Yale
- Payroll sometimes completes early in the morning such as 6AM.
- OFAS may choose not to approve retroactive compensation changes the day before payroll runs.
  - Workday occasionally recalculates incorrectly.
  - Approving late does not allow time to review the entry for accuracy.

Reminder: All payroll questions and adjustments for faculty must be submitted to faculty.admin@yale.edu for review.
Supporting documents must be merged into a single pdf.

Merge all documents into a single PDF in the following order:

- Form, if included
  - E.g. Faculty Compensation Approval Form, Secondary Appointment Form, or Leave Form
- Appointment or offer letter or email exchange describing the arrangement
- All other supporting documents
  - CV, letters of recommendation, etc.

Use instructions on Administrative Processes page, Step 3 ([https://facultyadmin.yale.edu/admin-processes](https://facultyadmin.yale.edu/admin-processes))
Secondary appointments require a completed Secondary Appointment Form.

Possible exceptions for FAS: Follow procedures on FAS Dean’s Office site at https://fas.yale.edu/book/secondary-appointments

- Note: The *end date* for a secondary appointment *cannot extend beyond the end date of the primary appointment* and is *limited to a maximum term of five years*. 
• Working out-of-state can trigger a range of tax and compliance implications

• Faculty member should notify department’s business office or operations manager

Policies, procedures and forms regarding out-of-state work locations:
• [https://your.yale.edu/policies-procedures/policies/3505-out-state-work-locations](https://your.yale.edu/policies-procedures/policies/3505-out-state-work-locations)

Workday training guide: Change Job: Change Work Location (Alternate Work Location)
• [https://workday.training.yale.edu/training-materials/change-job-change-work-location-alternate-work-location](https://workday.training.yale.edu/training-materials/change-job-change-work-location-alternate-work-location)
Reminder: Changes to Location and Contact Information

In Workday, this is a two step process:

Step 1 – Change Work Location
Step 2 – Change Contact Information for Alternate Work Location

Note:
- The **Effective Date** must be the **first of the month** if the Alternate Work Location is outside Connecticut or the US.
  - If removing the Alternate Work Location, it is not possible to set the Effective Date. Thus, notify OFAS to set the correct date.

If you receive a **red Error message** instructing you to use a later date, send email to faculty.admin@yale.edu.
Reminder: Changes to Location and Contact Information

Consequence of not using first of the month:
- Pay splits into subperiods
- Allowance plans will pay multiple times, once for each subperiod, resulting in an overpayment

Example of a faculty member who had subperiods.

This screenshot is from the Workday report, *Payroll Results Verification With Costing – Yale.*
Academic Leaves
Academic Leaves refers to research leaves – e.g. Triennial, Sabbatical, etc.

Faculty of Arts and Sciences (FAS)
- Non-Tenured ladder faculty (Asst Prof and Assoc Prof on Term) leaves – memo to be sent from FAS Dean’s Office
  - Requests submitted through Interfolio RPT module using type **Sabbatical**
- Tenured faculty – memo to be sent from Diane Rodrigues directly to all ladder faculty

Professional Schools – memo to be sent from Diane Rodrigues to school deans and school administrators
General Procedures online at https://facultyadmin.yale.edu/academic-career-events/leaves-teaching-relief

- Includes revised request forms for Academic Year 2022-23 as well as current forms for Academic Year 2021-2022
- Helpful information regarding unpaid leaves

Ad hoc leave or time off requests and changes during academic year

- Send to faculty.admin@yale.edu
Leave changes or cancellations

- FAS - Deferrals require permission from the cognizant FAS dean
- OFAS will need to change dates or cancel the leave
- Changes to leaves in Workday do not trigger a task to update costing, i.e. FacSabbatical costing treatment