Kirkwood
COMMUNITY COLLEGE

College Procedure: 404.13 – I-90 (Green Card) Sponsorship

Policy Reference:	404 – Employment Relationship
Responsible Department:	Human Resources
Approval Authority:	Cabinet
Procedure Owner:	Vice President, Human Resources and Institutional Effectiveness
Effective Date:	11/21/2011
Version Number:	4
Legal Counsel Reviewed (yes/no):	Yes (Bradley & Riley)
Legal Reference(s):	
Scope:	College-wide

Reason for Procedure

Kirkwood Community College will pay for certain fees and costs related to the application for permanent residency (Green Card) through a vendor selected by the College. The fees paid for by the College, on behalf of the employee, represent economic value and are taxable to the according to IRS regulations. Sponsorship for permanent residence does not constitute a guarantee of lifetime employment.

The Procedure

Green Card Sponsorship:

Green card sponsorship may be requested after the employee has:

a. Completed a minimum of 1 year of continuous full-time, employment with the College,

b. Received a recommendation from his/her supervisor, Vice President, and President Approval

c. Agree, in writing (by signing the Employee Reimbursement Agreement) that if the employee voluntary terminates employment from the College within 2 years of receipt of his/her Green Card, or is discharged for misconduct, the employee is responsible for all attorney fees and costs paid for by the College.

The date of receipt of the Green Card is based upon the date the Green Card is approved, not the date the application is submitted for filing with USCIS.

Kirkwood
COMMUNITY COLLEGE

Department Shall Bear Responsibility for Fees and Costs:

The College's fees and costs associated with pursuing and/or obtaining the employee's Green Card will be the responsibility of the department employing the individual at the time the application process is initiated.

Human Resources will be the point of contact and will coordinate the Green Card acquisition process.

Reimbursable Expenses:

Kirkwood is responsible, by regulation, to pay for certain expenses related to the Green Card process. The attorneys' fees and other costs related to the Labor Certification Application (also referred to as the PERM process) are the sole responsibility of the College and are not passed onto the employee.

In the event the employee voluntarily terminates employment or is discharged for misconduct prior to obtaining his/her Green Card; or within 2 years of receipt of his/her Green Card, the employee is responsible for paying all other fees and costs. These costs include attorney fees and USCIS filing fees associated with the I-140 Immigration Petition and the I-485 Adjustment of Status Application (or consular processing fees, should the employee choose consular processing in lieu of Adjustment of Status), as set forth in the Employee Reimbursement Agreement.

The College will not pay for premium processing unless there is a business need.

Green Card Benefit for Family Members

The College will not pay for the fees and costs associated with pursuing Permanent Residency for the family members of a College employee.

Exceptions to this procedure are made on a case-by-case basis with the prior approval of the appropriate Cabinet member.

Nothing contained in this procedure affects the at-will status of the employment relationship.

References

Employee Reimbursement Agreement

Kirkwood
COMMUNITY COLLEGE

Revision Log

Table 1 Revision Log

Version Number	Date Approved	Approved by	Description of Change
1	11/21/2011	Jim Choate, Vice President, Finance	New procedure
2	05/15/2017	Mick Starcevich, President	New template
3	07/24/2019	Cabinet	Procedure template
4	10/01/2026	Cabinet	Add President Approval and change from 2 years to 1 year of employment