

Summary of Immigration-related Costs for Foreign National Employees

Foreign nationals hired by the University of Maine require institutional sponsorship for an employment visa. Typically the employee enters on a temporary work visa but transition to legal permanent residency will be necessary for on-going employees. The following is an outline of estimated costs associated with visa sponsorship.

| Visa Type | Overview | Legal Fees | USCIS Filing Fees* | Other Costs** | How long will it take?*** |
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| H1b Temporary Worker USCIS form I-129 | The H1b is a temporary work visa for employees in specialty occupations. The H1b can be valid for up to 6 years, granted in up to 3 year increments. The Office of International Programs (OIP) processes requests for H1b visas in-house. | \$1200 University is required to pay ALL costs associated with the H1b petition | \$460 \$500 (USCIS anti-fraud fee) | USCIS Premium Processing fee \$1440 (optional but necessary in most cases) | 8-10 months regular processing 1-2 months with Premium Processing |
| Legal Permanent Residence (LPR) | Employees in tenure track and other on-going positions will likely require UMaine sponsorship for Legal Permanent Residence (LPR). <u>Various deadlines for filing LPR paperwork impact the filing timeline and it is recommended that the hiring department begin the process soon after the employee arrives in order to avoid repeating the search process.</u> Attorney Peter Landis, of Landis, Arn & Jaynes, P.A. files all LPR applications for the University. OIP will assist departments in contacting Mr. Landis shortly after the employee's arrival. Obtaining LPR for a foreign national employee is a 3 step process. | | | | |
| Step I. Labor Certification Application PERM | Submitted to the Department of Labor, it describes the position, salary and other relevant information about the job, plus extensive information about the recruitment process. The University must prove that it sufficiently "tested the market" and that the foreign national was determined to be the most qualified candidate available to take the position. The deadline for filing the PERM is 18 months for teaching positions from the date of offer letter. | \$2500-\$3500 Handling fee \$125 University is required to pay ALL costs associated with the PERM | N/A | Advertising & recruitment Additional legal fees if there is an audit of the PERM | 6-9 months |
| Step II. Employment Based Petition USCIS Form I-140 | Filed with the USCIS. The main purpose of this petition is to prove that both the employee and the position meet the criteria for employment based permanent residence. The employee's education, experience and other factors are considered. The University must also present evidence that the Labor Certification (PERM) has been approved and that the institution is financially viable. | \$1500 Handling fee \$175 | \$700 | If the USCIS requests additional evidence, there will be additional legal fees to prepare new materials | 6-9 months |
| Step III. Adjustment of Status to Permanent Residence USCIS Form I-485 | Once the University's I-140 is approved this application is submitted to USCIS by the employee (through the attorney) to request the change of status to Legal Permanent Resident. Due to visa backlogs employees from India and mainland China, may not be able to file the I-485 concurrently with the I-140. Although subject to change, there could be a 3-5 year waiting period. | \$2000 Handling fee \$175 | \$1225 | Medical exam fee: \$200 - \$300 H1b extension fees if I-485 is delayed due to visa backlogs | 6-12 months |
| Additional Costs for Spouse and Minor Children | Employees are often accompanied by a spouse and or minor children who will also need an immigrant status in order to remain in the US. It is important to note that in most cases the spouse and children are not authorized to work in the US until the final stages of the LPR process. This means that the employee and his/her family will be relying on one income for the majority of the visa application process. Please see the reverse page for further information on the costs associated with immigration filing for a spouse and children. | | | | |

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| Adjustment of Status to Permanent Residence for Employee's Spouse & Children USCIS Form I-485 | Submitted by the employee (through the attorney) to adjust the status of the spouse and minor children to Legal Permanent Resident. | \$750- spouse \$300- \$500/child* *depends on age of child Handling fee may be assessed depending on number of children | \$1225/spouse & child over 14 \$750/child under 14 | Medical exam fee: \$200 - \$300 / individual | 6-12 months |
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Please note that there are a number of paths to Legal Permanent Residency. During the meeting with the attorney the Department and the employee will be briefed on the various pathways, the possible costs and the benefits or drawbacks of each approach. The costs outlined above are for the most common pathway.

Attorney and filing fees are subject to change.