

**SPECIAL HANDLING ALIEN LABOR CERTIFICATIONS:
EVIDENCE THAT THE HIRING DEPARTMENT NEEDS TO PROVIDE PER
FEDERAL REGULATIONS**

In order for the tenure/tenure-track international faculty member to benefit from the Special Handling Labor Certification procedure, the hiring department must be able to document that the faculty member was selected for the job opportunity in a competitive recruitment and selection process through which the faculty member was found to be more qualified than any of the United States workers who applied for the job opportunity. Documentation of the competitive recruitment and selection process must include:

(1) **A statement, signed by an official** who has actual hiring authority from the employer, outlining in detail the competitive recruitment procedures undertaken; and which must set forth:

- (i) The total number of applicants for the job opportunity;
- (ii) The specific lawful job-related reasons for rejection of U.S applicants and why the foreign national is more qualified than each United States worker who applied for the job

(2) **A final report** of the faculty, student, and/or administrative body making the recommendation or selection of the international faculty member, at the completion of the competitive recruitment and selection process;

(3) **A copy of at least one advertisement for the job opportunity** placed in a national professional journal, giving the name and the date(s) of publication; and which states the job title, duties and requirements;

(No electronic journals. The ad must be placed in a national professional journal. For example, The Chronicle of Higher Education. This requirement cannot be met through the use of an electronic professional journal.)

(4) **Evidence of all other recruitment sources** utilized;

(5) **A written statement attesting to the degree** of the alien's educational or professional qualifications and academic achievements; and

(6) **Notice of the filing of an Application for Permanent Employment Certification** which must be provided between 30 and 180 days before filing the application. Notice must be posted for 10 business days in at least two conspicuous places where the employer's U.S. workers can readily read the posted notice. In addition, the employer must publish the notice in all in-house media, whether electronic or printed, in accordance with the normal procedures used for the recruitment of similar position in the employer's organization. (Please provide copies of all in-house media used to distribute the notice of the application)

**PETITIONS MUST BE FILED WITHIN 18 MONTHS AFTER AN OFFER IS MADE TO THE
SELECTED CANDIDATE.**