

All tenured and tenure-track recruitments may result in the selection of a Foreign National as the final candidate. For tenure-track positions where teaching is a core component, the University may seek to support a pathway to permanent residency, based on the Department of Labor's PERM certification process, using the "special recruitment and documentation procedures for college and university teachers".¹ Therefore, **please follow the procedures below** to give the University as many options as possible, should the successful candidate be a foreign national. To satisfy DOL requirements, attention should be paid to each of the following areas:

Wording of Recruitment Announcement/Advertisement

- Be as specific as possible in stating required skills, degree requirements, and acceptable major(s) without using "overly restrictive" language;
- Be specific in naming the level for which the job is offered (assistant, associate, full professor);
- State clearly whether or not there are classroom teaching duties;
- Any "preferred" skills will be considered "implicit requirements."²
- In addition, the job opportunity must be:
 - Located in the United States
 - Permanent-(tenure track and permanent researcher appointments are considered permanent)
 - Full-time
 - A bona fide job opportunity
 - In compliance with prevailing wage requirements

ISSO staff is available to assist in the preparation of advertisements. Contact: Maddy Baer at mbaer2@uncc.edu, x77744 or Tarek Elshayeb at telshaye@uncc.edu, x77859

Recruitment/Advertisement Plan (AA-02)

- At least one advertisement must be in a national professional journal. The gold standard is the Chronicle of Higher Education. Alternatively, if selecting a publication targeted toward specific disciplines, please consult appropriate resources, such as J. Murrey Atkins Library's subject librarians, to ensure you are selecting a nationally recognized journal;
- Additional recruitment is welcome and should be consistent with UNCC recruitment guidelines but must also be documented;
- Documentation of ALL recruitment must be kept in the following manner:
 - PRINT ADS- keep the original tear sheet from the journal that shows the full text of the advertisement, the date of the publication, the name of the publication
 - ELECTRONIC ADS- a screen shot of the first and last day of the advertisement. Any electronic advertisements must remain posted for a minimum of 30 days.

Justification of Selection of Candidate (AA-05)

- Clear language stating how the selected candidate:
 - Meets the requirements of the advertised requirements, and;
 - Is "more qualified" than any of the U.S. workers who applied for the job opportunity.³
- Maintain a special report on competitive recruitment (AA-04).

Formal Offer to Selected Candidate

- There must be a dated, written offer letter from the individual authorized by the University to extend the offer.
 - Emails and phone calls extending an offer are not sufficient for DOL requirements.
 - There must be documentation that the offer has been accepted.

¹ 20 CFR §656.18

² [BALCA, en banc, 2010-PER-00038 (April 18, 2011)]

³ (20 CFR §656.18)