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I. Procedures for Hiring International Scholars and Staff for Long-term or Permanent Appointments (Tenured or Tenure-Track)

Federal regulations for payments, hiring, and visas for international scholars and staff require proper and timely planning in order to avoid problems. There are extra steps, expenses, and considerations involved in hiring international faculty/staff, so it is essential to plan early.

When hiring long-term or short-term visiting, tenured, or tenure-track faculty the Faculty Appointment Process, approved by the Provost, must be followed. Each Dean’s office works closely with the Office of International Education (OIE), Human Resources (HR), and the Provost’s Office to ensure compliance. The UR hiring department should complete the “Checklist for Hiring International Scholars and Staff for Long-Term Positions” (go to http://international.richmond.edu/scholars/immigration/h1b.html and click on link provided in first sentence of that page).

Assistance with obtaining the appropriate non-immigrant visa for international scholars and staff is the responsibility of the International Scholar Advisor (ISA) in the OIE. International scholars and staff being hired must currently hold, or have the ability to obtain, the appropriate work visa to begin employment. All University of Richmond (UR) hiring departments must submit required documentation (see Chapter II).

As part of the hiring process, it is the responsibility of each department to request and obtain approval from the appropriate Dean or Director's office prior to making a commitment to the international scholar/staff member and to allow 3-4 weeks prior to the OIE deadline (6 months prior to arrival) for processing the required paperwork. It is also the responsibility of the department to ensure that the international scholar/staff member's activities at UR are consistent with his/her professional background and experience; and, once hired, to notify the ISA of any changes to the international scholar/staff member's employment at UR, including changes to job title, responsibilities, salary, payment from sources outside UR, and addition of other employers besides UR.
II. Procedures for Hiring Visiting International Scholars for Semester or Year-Long Appointments

9 - 12 months before the start of Employment (August-November or January-April):

- The Hiring Dean will begin recruiting visitors in cooperation with faculty members. As part of the negotiation process, the following information will be determined:
  - **Taxation** - The Hiring Dean will check with the International Taxation Specialist about taxation issues based on the proposed salary, benefits and allowances, visa type, and the number of paychecks.
  - **Immigration** – The Hiring Dean will consult with the Director of International Student, Scholar & Internship Services in the Office of International Education (OIE) about the appropriate visa type for the visitor based on proposed activity, length of time at the University of Richmond (UR) and country of citizenship.
  - **Faculty Mentor or Dean’s Administrative rep** - The Hiring Dean will recruit a Faculty Mentor or appoint an administrative representative and inform the scholar of his or her mentor/rep with contact information so they can correspond beforehand.
  - **Office Space** - The Faculty Mentor or Dean’s rep will work with the host department regarding office space and access to office equipment. If office space is not available, the International Visitors office in OIE may be used depending on availability. Office arrangements will be communicated by the Faculty Mentor or Dean’s rep to the visitor.
  - **Housing & Transportation** - The Faculty Mentor or Dean’s rep will refer visitor to Human Resources (HR) for local real estate agents and to OIE for assistance with housing, and related issues such as sublet and apartment listings, information about utilities and furniture rental. Visitors are responsible for corresponding directly with the contacts provided on these listings. The Faculty Mentor or Dean’s rep will provide assistance as needed.

8 months before the start of Employment (December or May):

- The Hiring Dean and department chairs will work together to determine who will be extended an offer.
- The Hiring Dean and department chair(s) determine course(s) to be taught by the visitor and possible cross-listing.
7 months before the start of Employment (January or June):

- An informal agreement is made through email between the Hiring Dean and the visitor stating the conditions of employment (dates, responsibilities, benefits, financial support, successful background investigation, etc.) with copies to the Director of International Student, Scholar & Internship Services and the Hiring Dean’s employment contract processor.
- The Director of International Student, Scholar & Internship Services will forward the information to:
  - Human Resources
  - Foundation, Corporate & Government Relations (if position is grant funded)
  - Office of International Taxation

6 months before the start of Employment (February or July):

- The Director of International Student, Scholar & Internship Services will contact the prospective faculty member to obtain immigration information and request the completion and return of all the required documentation for employment:
  - Curriculum vitae/resume, if not already received (Hiring Dean’s Office)
  - UR Faculty Application for Employment (Hiring Dean’s Office)
  - Background Investigation Authorization Form (HR)
  - U.S. Social security number, if available (International Taxation)
  - Proof of a degree (official transcript) that is equivalent to MA/MS/MFA or above. If the degree is not documented or not at the masters level, the Hiring Dean will work on a written justification of the scholar’s professional experience. (Hiring Dean’s Office)
  - OPTIONAL: Foreign National Information Form (International Taxation)

**NOTE: Copies of the above documents will be sent to the offices listed in parentheses.**

- The Director of International Student, Scholar & Internship Services will e-mail the scholar stating, “In order for an official letter of appointment to be prepared, the CV, UR Faculty Application for Employment, official transcripts, and Background Investigation Authorization need to be received within 2 weeks of the date of this email. We are also sending the Foreign National Form for you to complete at your convenience. Once it is received, we can provide information about your taxation rates and withholding. If you do not have a social security number, you will need to apply for one when you arrive in the U.S. and provide copies of your immigration documents to International Education and International
Taxation.” The Director will copy the Hiring Dean’s employment contract processor, International Taxation, and HR on this email.

5 months before the start of Employment (March or August):

- The Hiring Dean’s Office will prepare the Appointment Request Form. This form will be used to prepare the official appointment letter for the Hiring Dean and Provost’s approval and signature. The appointment letter will reference the Director of International Student, Scholar & Internship Services as the contact for all immigration matters and detail the financial support (if any) the University will provide.
- Once the appointment letter is complete, it will be sent to the Hiring Dean’s employment contract processor to mail to the visitor with a welcome packet, which will include the following:
  - Foreign National Information Form (if not already completed)
  - Database Information Form (to be sent electronically)
  - Link to calendar of important meetings and events, including Faculty Colloquy, new faculty orientation, and library orientation
  - Campus map, City of Richmond map, and Richmond visitor’s guides.
- HR or OIE will send health insurance information to visitor.
- Faculty Mentor or Dean’s rep will confirm arrangements for office space and communicate this information to the visitor.
- The Director of International Student, Scholar & Internship Services will forward tax questions from the visitor to International Taxation and employee benefits questions to HR. Those units will respond to the visitor directly, copying the Director of International Student, Scholar & Internship Services.
- The department chair or program coordinator will submit the courses to be taught by the visitor to the Registrar’s Office for the pre-registration schedule.

4 months before the start of Employment (April or September):

- HR will generate a University ID number based on Database Information Form and email a scanned copy to the Director of International Student, Scholar & Internship Services (who will in turn forward the ID number to the visitor) and to International Taxation.
- The Faculty Mentor or Dean’s rep will send an email to faculty about the scholar and work with relevant departments on campus to arrange meetings, lunches, programs, and other publicity.
- The visitor will order course books.

Before arrival on campus (July or December):

- The Faculty Mentor or Dean’s rep will work with the host department to arrange transportation from the airport to campus.
• The visitor will schedule an orientation through HR.
• The Hiring Dean’s Office will confirm the funding source for visitor’s expenses and/or salary.

Upon arrival on campus (August or January):
• With immigration documents and Social Security card (if available*) in hand, the visiting scholar visits:
  o HR (for orientation)
  o Director of International Student, Scholar & Internship Services (to review/complete immigration documents)
  o International Taxation (to complete I-9, W-4 and VA-4 forms)

*International Taxation will assist with obtaining a Social Security Number if necessary.

After arrival on campus:
• If the visitor’s Visa status changes in any way, the visitor must notify Director of International Student, Scholar & Internship Services and International Taxation IMMEDIATELY.
• If a change in stay is being contemplated for the visitor:
  o A discussion must take place with the Hiring Dean who must approve the change.
  o The Hiring Dean’s Office will notify the following of a change in the visitor’s stay:
    - Director of International Student, Scholar & Internship Services
    - International Taxation
    - Human Resources
  o The Hiring Dean’s Office will prepare a new contract which must be signed and distributed to the appropriate offices.
III. Procedures for Hiring International Scholars and Staff for Short-term Appointments (greater than nine days but less than one semester)

The Deans’ offices, Office of International Education (OIE), and International Taxation will approve short-term (greater than nine days but less than one semester) appointments on a case-by-case basis contingent upon proper documentation (see Section II).

For short-term appointments which do not meet the timeline specified in Chapter I and II, please contact the employment contract processor in the appropriate Dean’s office for guidance. Once a short-term appointment is approved by the Dean, OIE and International Taxation will be contacted for visa and taxation review.
IV. Procedures for Brief Visits by Non-Resident Aliens (speakers)

Federal regulations for payments, hiring, and visas for non-resident aliens require proper and timely planning in order to avoid problems. There are extra steps, expenses, and considerations involved in bringing in an international speaker, so it is essential to plan early.

Departments who wish to invite an NRA (non-resident alien) to visit the University and who intend to pay the NRA personal service income (i.e. an honorarium) and/or travel expenses must follow the rules set forth by the Department of Homeland Security (DHS) and the Internal Revenue Service (IRS). The rules are strictly enforced by the Office of International Taxation (OIT) because stepping outside the boundaries of the law will mean that UR will be in the position of hiring an illegal alien. The inviting departments are requested to fully process check requests for honorarium-type payments at least 30 days in advance of the NRA’s arrival on-campus.

Please be aware that international speakers or guest artists hired through a U.S. agent or booking firm must also follow the rules and regulations set forth by the IRS and DHS. The IRS considers a U.S. agent to be “transparent” and looks to UR to do proper tax withholding, not the U.S. agent. DHS expects that UR will only accept a speaker on an appropriate visa. Proper documentation must be presented to OIE and OIT by the speaker upon arrival at UR.

Please consult the OIT website on the following subjects:
- Paying an NRA an honorarium: http://controller.richmond.edu/tax/honorarium.htm
- Paying an NRA’s travel expenses: http://controller.richmond.edu/tax/travel.htm
- Additional information regarding paying foreign corporations, royalties, prizes and awards, grants, tax treaties, visa types, etc.: http://controller.richmond.edu/tax/.

A booklet setting forth the “Policies and Procedures for Honorarium Payments and Travel Reimbursements to Non-resident Aliens” may be requested from OIT. This booklet also contains copies of required forms and sample international documents.
V. Definitions

**International:** An individual who is a non-citizen of the United States (non-resident alien in government references).

**Long-term or Continuing Faculty and Staff:** Those employees in permanent positions, be they tenured, tenure-track, or term (time limited).

**Short-term appointment:** Appointment of greater than nine days but less than one semester.

**Visas Most Frequently Held by Visitors Coming to the University of Richmond (UR):**

**B-1:** Temporary Visitor for Business (i.e. speakers)
- 9/5/6 Rule must be followed – no more than 9 days at one institution, no more than 5 payments from 5 institutions in a 6-month period.

**B-2:** Temporary Visitor for Pleasure
- Visa type not recommended for honorarium payments nor for travel that will be compensated or reimbursed.
- 9/5/6 rule also applies.

**Canadians:** Visitors from Canada may enter the U.S. without a visa
- B-1/B-2 visa rules apply.
- It is recommended that an I-94 card be purchased at the border to prove business status.

**F-1:** Student Visa
- Compensation for off-campus employment allowed when student is authorized in advance for optional practical training (OPT) or curricular practical training (CPT).
- Practical training has a one year maximum and can only be used to work in a job related to the student’s major.
- Unpaid services are disallowed.
- Travel may be reimbursed without taxation only when an individual is providing services on behalf of UR.

**H-1B:** Temporary Professional Worker in a Specialty Occupation
- Initial period valid up to 3 years, may be renewed for another 3 years.
- Used for long-term tenured and tenure-track appointments for faculty and permanent positions for staff.
• Honorariums to individuals whose H-1B is sponsored by another institution may not be paid or have travel reimbursed by UR without permission of the individual’s International Scholar Advisor at their home institution.
• Honorarium payments will be sent to the home institution and disbursed through that payroll system.

**J-1:** Exchange Visitor Visa
• Up to 5 years for professors and research scholars, 1 year for specialists, and 6 months for short-term scholars
• Individuals are employment authorized; therefore, honorarium payments must follow the same rules as payments to H-1B visa holders.

**VW-B:** Visa Waiver-Business
• Citizens of many western European countries, some Asian countries, Australia, and New Zealand are allowed to travel to the U.S. without obtaining a visa as long as their stay is 90 days or less under the Visa Waiver Program.
• The individual will not have a visa foil in their passport; however, they will be given a green I-94 card which will be stapled into the passport by U.S. Customs. A photocopy of this card must be obtained before the person leaves the U.S. as it is removed from their passport by U.S. Customs when the person exits the country.
• Follow the visa rules for B-1 visas.

**VW-T:** Visa Waiver-Tourist
• See VW-B above for an explanation.
• Follow the visa rules for a B-2 visa.

**Legal Permanent Residency (LPR):**
• Commonly known as “green card” holders.
• A person is a Lawful Permanent Resident (LPR) of the United States if the person has been given the privilege, according to the immigration laws, of residing permanently in the United States as an immigrant.
• An LPR has unrestricted permanent work authorization and may be self-employed, including performing an activity for which an honorarium is ordinarily paid.
• The individual must be able to present a valid permanent residency card which will have an expiration date.
• For tax purposes, the individual is treated like a U.S. citizen.
• If an individual is adjusting to LPR status, they must have an employment authorization document (EAD) which proves unrestricted work. The EAD has an expiration date.