



OFFICE OF INTERNATIONAL SERVICES

University Center for International Studies
University of Pittsburgh

Guidelines Regarding the Use of Outside Immigration Attorneys

Overview

Only the Office of University Counsel (OUC) has the authority to approve the retention of outside legal counsel to represent the University of Pittsburgh and its schools, divisions, and departments.

For employment-based immigration filings in which the University of Pittsburgh is the petitioner or sponsor, the Office of International Services (OIS) has primary responsibility for preparation and submission, unless the hiring department receives authorization from OIS to use an outside immigration attorney.

Departments must use one of the firms listed below, which have been vetted and approved by OUC to provide immigration services. Please note that when retaining the services of an attorney, the hiring unit and/or the foreign national employee is responsible for the payment of all associated legal fees and administrative costs. **In addition, current law requires that the employer pay any expense related to a permanent labor certification (PERM), including recruitment costs.** These costs may not be passed on to the employee. You are welcome to consult with OIS or the immigration attorney for additional information.

The purposes of these guidelines are:

1. To ensure top quality immigration-related legal services are provided to the University of Pittsburgh and foreign national beneficiaries;
2. To ensure consistency and accuracy in the representations made to federal agencies on behalf of the University;
3. To provide accountability at the highest institutional levels for petitions filed on behalf of the University of Pittsburgh;
4. To ensure compliance with the University's employment policies and practices, as well as any applicable laws; and
5. To provide a reliable means of maintaining accurate data on our foreign national employees and ensuring compliance with relevant immigration and labor regulations.

NOTE: Employees and/or their departments should not contact an outside immigration attorney directly until approval has been granted by OIS.

Scope of Work

The Office of International Services is responsible for processing the following types of employment-based immigration petitions:

1. All H-1B (Temporary Worker), O-1 (Aliens of Extraordinary Ability); TN; and E-3 petitions*
2. All first-preference employment-based permanent residency cases in the Outstanding Professors or Researchers (EB-1B) category;*

3. All second-preference (Members of the Professions Holding Advanced Degrees (EB-2)) and third-preference (Professional or Skilled Worker (EB-3)) employment-based permanent residency cases.* **This responsibility excludes the permanent labor certification (PERM) which must be processed by an approved immigration attorney.**
4. J-1 professors, research scholars, short-term scholars, specialists, and student interns, to include general advising regarding the Exchange Visitor Program;

* OIS may forward complicated cases to outside counsel as appropriate.

Employment-based Immigration Petitions

The approved law firms identified below may be used for processing the following types of employment-based immigration petitions, provided that authorization has been granted by OIS, in consultation with OUC and in accordance with the procedures outlined herein:

1. Permanent Labor Certification (PERM) cases and other employment-based immigration petitions forwarded by OIS;
2. Any other specialized cases as deemed appropriate by OIS in consultation with OUC.

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Cohen & Grigsby, PC
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www.cohenlaw.com
 412-297-4712

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 412-235-1480

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 1800 Massachusetts Avenue NW, Suite 300
 Washington, DC 20036
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 202-483-0053

Rita Sostrin
Sostrin Immigration Lawyers, LLP
 16030 Ventura Boulevard, Suite 300
 Encino, CA 91436
www.sostrinimmigration.com
 818-435-3500

Interested Government Agency Waivers

The following firm has been approved for retention by the Office of General Counsel to provide services related to **physicians** seeking Health and Human Services (HHS) 212(e) waivers and to **non-physicians** seeking Interested Government Agency (IGA) 212(e) waivers, to include those for HHS:

Rita Sostrin
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Process for Using Approved Immigration Counsel

1. The department decides to hire a foreign national or sponsor a current employee for permanent residency and consults with an immigration specialist in OIS.
2. If the use of an outside immigration attorney is necessary, the department will be instructed to submit the "**Outside Immigration Attorney Request**" e-form in My OIS (my.ois.pitt.edu) with a copy of the employee's current CV or resume and complete job description. The department may request a specific attorney or have one assigned by OIS;
3. OIS director reviews the request and, if approved, emails the request form to the selected attorney. If the attorney is able to take the case, he or she completes the bottom portion of the request form and returns it to OIS.
4. OIS director emails the attorney and the department contact to confirm that the case can proceed. An initial consultation with the attorney will be scheduled including the department contact, immediate supervisor, the foreign national beneficiary, the HR representative (for staff positions), and the OIS director.
5. The department communicates information about the case directly with the attorney. OIS will be copied on all communication and will serve as a point of contact for attorney questions about the University and for department questions about general immigration information. The attorney will provide OIS with copies of all application materials and will otherwise keep OIS informed as the case proceeds.
6. When the case is ready for filing, the authorized signatory in OIS signs all appropriate paperwork. **NOTE: Only the OIS director, associate director, or assistant director is authorized to sign immigration-related forms, such as the ETA-9089, G-28, HHS 426, I-140, I-129, etc., on behalf of the University.**
7. The attorney mails a file copy of the case and the original audit file (permanent labor certification) to OIS within 10 business days of submission to USCIS or DOL. OIS maintains all audit files.
8. The attorney informs department and OIS of the case status. When US Citizenship and Immigration Services (USCIS) issues an approval, denial, or Request for Further Evidence (RFE), the attorney also provides a copy to the department and OIS.

University Resources

- **Office of International Services**
For information about the processing of employer-sponsored immigration petitions, visit the OIS Web site at www.ois.pitt.edu or contact an immigration specialist at ois@pitt.edu. For questions regarding the guidelines on approved immigration attorneys, please contact the OIS director at gdcook@pitt.edu or 412.624.7123.
- **Office of University Counsel**
For questions regarding the approved immigration counsel program, contact the Office of University Counsel at 412.624.5674.
- **Office of Human Resources**
For information regarding hiring and employment practices for University **staff** members, contact the recruiter for your department or contact Sarah Morgan, Manager of Talent Acquisition, at sam268@pitt.edu or 412.624.8036.
- **Faculty Affairs**
For information regarding hiring and employment practices for University faculty, visit the Faculty Affairs web site at <http://provost.pitt.edu/faculty>.