

## **Procedure 20310b: Permanent Residency Expense**

University departments can pay or reimburse expenses related to the Permanent Residency process up to \$5,000 per eligible employee. Discretion of whether to reimburse any Permanent Residency fees and at what amount up to the University maximum is at the discretion of the employing department within the University. As such, some of the departments will cover the expenses up to the university maximum, while other departments might allow reimbursement of a portion of the expense (i.e. \$1,000 or 2,000), and some departments will not reimburse (or pay) any of the fees associated with obtaining permanent residency. The legal aspects of the permanent residency (PR) process are handled by an attorney within the University's Office of Legal Counsel. Since the University has attorneys to handle the legal processes, legal fees incurred by the employee (or department) seeking outside legal counsel, without the recommendation of University Legal Counsel, will not be reimbursed.

### **A. Departmental Responsibilities**

The labor certification process (as required by the Department of Labor), certifies that a comprehensive search was performed to identify and hire the most qualified candidate for the job. Temporary work visas do not allow a long-term employment relationship, so the next logical step is for the individual to make application for permanent residency. Effective May 2008 any payment directly related to the permanent residency application process made on behalf of or reimbursed to a Virginia Tech employee, in accordance with the aforementioned and referenced guidance, will not be treated as a taxable benefit to the employee. Therefore, the payments will be an Accounts Payable transaction through HokieMart. The employing department(s) is responsible for tracking the payments and reimbursements to ensure this limit is not exceeded. Departments that agree to pay (or reimburse) Permanent Residency fees for a non-resident employ should refer to the [Outreach website](#) for guidance to begin the process.

### **B. Changes in Status Between Pay periods**

#### **B.1 Vendor Payments**

Once the department is ready to request that a payment be issued, the requestor should complete a Direct Pay form in HokieMart using Payment Category Code A9 and account 12472 (Visa/Permanent Residency Fees). If the itemized invoice was received by the department, the PO number should be referenced on the invoice and sent to the Controller's Office for processing along with the 'Approval form for Virginia Tech Process of Employment-Based Visa Application'. This form can be found <https://www.outreach.vt.edu/>.

#### **B.2 Personal Reimbursement**

## Controller's Office Procedure

Once the department is ready to request that a reimbursement be issued, a Reimbursement Request should be completed in HokieMart using account 12472 (Visa/Permanent Residency Fees). The employee must provide complete documentation supporting that the payment has been made. Documentation should include, but is not limited to, receipts, canceled check(s), and itemized invoices that have a zero balance indicating payment has been made. A copy of the 'Virginia Tech Approval Form' should be included with payment requests related to permanent residency.