

Checklist of Items Needed from the Department for Special Handling Labor Certification

The Immigration and Nationality Act provides distinct tests for job offers as college and university teachers. The statute permits the employer to reject applications for the teaching job from qualified U.S. workers who are less qualified than the alien. The employer must show that the alien was selected by a process through which the alien was found to be more qualified than any of the U.S. workers who applied for the job. As long as the employer submits adequate documentation of such a competitive recruitment and selection process, the employer need not make the recruitment efforts normally required for Labor Certification.

To document a competitive recruitment and selection process, the department/school/college must submit the following:

- A statement, signed by an official with actual hiring authority, outlining, in detail, the complete recruitment procedure. This statement must also include:
 - The total number of applicants responding.
 - A detailed description of the specific reasons why the alien is more qualified than all the other workers who applied for the job; and
 - A final report of the faculty, student, and/or administrative body making the recommendation or selection at the completion of the competitive recruitment and selection process, including the exact date the alien was selected for the position.
- A copy of at least one print advertisement for the job, placed in a national professional journal, giving the name and the date(s) of publication; the job title, duties, and requirements.
- List of names of all candidates grouped by reasons that they were not selected (Copies of all C.V.'s should be kept on file in the departmental office for at least five years per Department of Labor regulations.)
- Evidence of all other recruitment sources utilized; stating the results of such recruitment, must also be submitted.
- A written statement attesting to the degree of the alien's educational or professional qualifications and academic achievements.
- Copies of letters of recommendation submitted on the alien's behalf.
- Copies of the resumes of interviewed candidates who were not chosen for the position.
- Copies of the AA Forms completed for the search.