

Considerations when recruiting teaching faculty positions

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When you begin a recruitment cycle for a teaching faculty position, conducting the search according to certain Department of Labor regulations can lay a foundation for an efficient permanent residency process down the road should you decide to hire a foreign national. You will in effect be able to “recycle” your recruitment efforts to demonstrate you hired the best qualified candidate, which is a requirement of one of the permanent residency pathways.

The guidelines for a compliant advertisement are defined in policy [ACA-77](#) Advertising Policy for Academic Instructional Positions. The advertisement for the opening must satisfy two conditions:

- 1) explicitly include at minimum the job title, position duties, and minimum qualifications
NB: abbreviated postings or links are not compliant, and Department of Labor considers any qualification listed to be **required** of the chosen candidate **at the time of the offer**

- 2) be published in a national professional journal with national circulation
NB: the publication may be print or digital, but the publication must include both job postings and articles; a website exclusively for job listings is not compliant

Teaching faculty at the University can qualify for “special handling” of the labor certification (a qualifying step within the permanent residence process) where the criterion shifts from the **only** qualified candidate for the position to the **best** qualified. Conducting a search that does not fulfill the advertising regulations above does not preclude employer-sponsored permanent residency at a later point; it simply removes the efficiency of being able to use documentation of the original recruitment for special handling labor certification.

As always, we are happy to answer questions that you have related to this process and further direct you to university permanent residency process resources.