UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

Sponsorship for Work Authorization FAQ

Q1: Can we add a statement to the posting regarding sponsorship?

- **If sponsorship is not available:** Yes, the department shall add "Sponsorship for work authorization is not available for this position" to the posting.
- **If sponsorship is available:** A statement is not required to be added to a posting when work authorization sponsorship is available. However, a unit can choose to specifically state sponsorship for work authorization is available.

Q2: When a candidate answers **"no"** to "Are you legally authorized to work in the United States?" and **"yes"** to "Do you require sponsorship in order to have authorization to work in the United States?" is the hiring unit allowed to ask further questions?

- **If sponsorship is not available:** No follow-up is necessary as applicant is unable to be considered further for the position.
- **If sponsorship is available:** Yes, the additional questions may include:
    1. What is your current immigration status?
    2. When does that status expire?

Q3: When a candidate answers **"yes"** to the questions "Are you legally authorized to work in the United States?" **and** "Do you require sponsorship in order to have authorization to work in the United States?" is the hiring unit allowed to ask further questions?

- **If sponsorship is not available or if sponsorship is available:** Yes, the additional questions may include:
    1. What is the basis of your current work authorization?
    2. Have you ever been in J-1 status?

Q4: When a candidate answers **"yes"** to the question "Are you legally authorized to work in the United States?" and **"no"** to the question "Do you require sponsorship in order to have authorization to work in the United States?" is the hiring unit allowed to ask further questions?

- **If sponsorship is not available or if sponsorship is available:** No further questions may be asked about their immigration status. It is likely they are a U.S. citizen or a permanent resident.

Q5: When a candidate answers **"no"** to the questions "Are you legally authorized to work in the United States?" **and** "Do you require sponsorship in order to have authorization to work in the United States?" what action should be taken?

- **If sponsorship is not available or if sponsorship is available:** The applicant likely misunderstood the questions and additional follow-up may be needed.

Q6: If a candidate can only be employed for a minimum time (e.g., OPT, CPT, etc.) and would need sponsorship at some point, does the hiring unit still need to consider the candidate if the position does not allow for sponsorship?

- **If sponsorship is not available or if sponsorship is available:** If the candidate does not need sponsorship at the time of hire the hiring unit will need to consider the candidate. Work authorization is very fact specific, please contact Laura Czys if there are additional questions.

Q7: If a position is not eligible for sponsorship, but a candidate applies that the hiring unit would like to hire but needs sponsorship, can they be hired?

- **If sponsorship is not available:** No, the advertisement would state "Sponsorship for work authorization is not available for this position," therefore the candidate would not qualify for the position.

Visit Hiring Departments for additional information for hiring units.