

**ARTICLE 13  
INTERNATIONAL STUDENT WORKER RIGHTS AND WORK AUTHORIZATION**

Section 1. While the University does not offer legal advice to SWs, Harvard International Office can advise a SW generally on visa issues as they relate to the academic and/or employment relationship with the University. Harvard International Office shall maintain a list of attorneys and agencies for referral, including pro-bono agencies, if a SW has a complex immigration issue or if the SW is in need of immigration advice that is not related to the SW's academic and/or employment relationship with the University. Legal fees if the SW retains such an attorney would be borne by the SW and may be reimbursed under the International Student Worker Assistance Fund in Section 2 if the legal matter involves an immigration issue that directly affects the SW's ability to work at the University.

Additionally, HIO shall invite immigration attorneys to visit campus (Cambridge and Longwood) once each semester to discuss H visas and green cards. The University agrees to take reasonable efforts to record any such presentation for additional viewing and/or, in its sole discretion, make available live streaming, provided that the immigration attorney(s) consent(s) to such recording.

Section 2. International Student Worker Assistance Fund.

Effective July 1, 2021, or upon ratification whichever comes last, the University shall establish an International Student Worker Assistance Fund in the amount of \$10,000 for each fiscal year of this Agreement. SWs who are resident or non-resident aliens for tax purposes may apply for reimbursement of immigration and legal expenses if the legal matter involves an immigration issue that directly affects the SW's ability to work at the University.

Distribution of any funds shall be made in accordance with procedures, policies and requirements established by the Union, subject to approval by the University.

Unexpended funds may not be rolled over from one year to the next for the duration of this Agreement.

Section 3. Immigration Leave. Salaried SWs shall have a right to five (5) paid business days of leave per year in order to attend visa and immigration proceedings and any other related matters for the SW and the SW's family as defined in Section 2 of Article 24, Leave Provisions SWs employed on an hourly basis may also be absent for the same purposes without loss of pay if the attendance at the immigration proceeding occurs during hours when the SW is required to be working.

A SW may request additional days off from their supervisor(s), who may approve these on a discretionary basis.

Section 4. In cases where a SW is unable to return to the United States as a result of their immigration status, and for reasons outside of their reasonable control (*e.g.*, administrative processing), the University shall undertake reasonable efforts to arrange for the SW to perform their duties outside the U.S. until such time as either the SW can no longer work effectively by remote or is not making sufficient academic progress to maintain student (and thus SW) status. Any determination regarding such academic progress

is not grievable. This section does not preclude a School from categorizing certain work that a SW could do as only being performed on-campus.-Additionally, permission to work remotely shall be reviewed periodically.

Section 5. If the University is not able to lawfully employ or continue to employ a SW as a result of the SW's immigration status, the University agrees to meet with the Union and the SW to discuss potential re-employment into their prior position or another position if their previous position is unavailable. The University agrees to make reasonable efforts to re-employ the SW as soon as possible after that person obtains work authorization or immigration status that lawfully permits them to work as a SW. Such timing of re-employment shall depend on several academic factors, which are not grievable, including the academic calendar. The timing of re-employment may also depend on other factors such as the availability of lab space and research funding.

Section 6. Issues surrounding immigration and visa status that may affect SWs can be appropriate topics for the Union-Management Committee. In addition, to assure effective support services, foster good communications and better understanding between the University and its international graduate employees, the University shall convene two meetings yearly between the University and the Union that will include staff from the HIO.

Section 7. The University shall maintain, until September 30, 2021 or until final recommendations are made, a University-wide Working Group with representatives from various constituencies, including at least 2 members of HGSU-UAW, to evaluate the English-language needs of SWs, and the availability and the effectiveness of resources currently available such as the English Language Program, the Center for Writing and Communicating Ideas, and the Professional Communication Program for International Teachers and Scholars at the Bok Center. SWs who are members of the Working Group will be provided release time to attend meetings of the Group without loss of pay.

The Working Group will produce a list of recommendations to improve ESL services at the University including but not limited to enhancing post-ELP resources, access to ELP or equivalent programs at all Schools, and affordable proof-reading resources for teaching and research work products before the dissolution of the working group. The University will also provide these recommendations to the Union.

Except as required by law, legal process, or regulations governing the administration of F-1 student and J-1 exchange visitor programs, the University shall not disclose any SW's immigration information or personal information including, but not limited to: temporary or permanent home address, contact information, workplace, or work schedule to any government entity.