WELCOME TO THE WORLD OF 'PERM'
On-line Filing of Labor Certification - Employer Account Registration

As you may be aware, the previous RIR and regular labor certification application procedures have been replaced by PERM, the on-line filing of labor certification applications. This procedure is meant to be more efficient, but like any new program, it has a lot of glitches and pitfalls which are gradually being resolved and we have been successful in obtaining labor certification approvals in a matter of weeks (not all!).

To file the PERM application on-line, the employer must have a Permanent Online System account, user name, password and PIN. The Department of Labor (DOL) insists that ONLY the employer can register to use the online PERM system (NOT the attorney). The registration must be submitted by an individual with actual hiring authority for the employer. The holder of the Permanent Online System account will be able to create multiple sub-accounts with individual user names and passwords for persons authorized by the employer to file application in its name (to include the employer's attorney, for example).

In order to create a Permanent Online System account, the employer must submit the registration information on-line at www.plc.doleta.gov. The second item on that page is Register; please follow the prompts and you will be able to register.

After an employer registers, the DOL conducts an employer existence check. Upon verification of the employer's information, a password and confirmation of the account holder's user name are sent to the employer in one e-mail and, for security reason, the PIN in another e-mail. This may take two weeks or so, and the employer will not be sent these two e-mails until the existence check is complete. The DOL requests that employers NOT register more than once, to avoid problems with the existence check in progress. The DOL recommends that the employer use its headquarters address as the company address and avoid using "doing business as (d/b/a)" name and only use its legal corporate name.

Once the Permanent Online System account is created, the employer should create a sub-account for its attorney. The DOL will email the sub-account user name, password and PIN to the attorney, enabling him to file PERM applications.

For details of the PERM procedure, please go to our website www.brijkapoor.com, under the heading Immigration Instructions, Questionnaires and Worksheets. Then, complete Part A of the questionnaire (for employer) and Part B (for the employee). OR, you may upload the attachments to this email, which gives the above, plus the checklist of items needed and a sample of the Retainer agreement.

If you have any questions, please call us. Thank you.

Our total attorney fee for processing of your labor certification application, priority petition and permanent residence under the revised Labor and Immigration procedures is $5,000 (principal applicant). The payment of our fee may be broken down into the following installments: $1,500, initial payment; $1,000 upon filing of the electronic application for labor certification; $1,000, upon approval of the application; balance of $1,500 upon filing the priority petition and permanent residence application with the Immigration Service (the last two steps now can be taken concurrently, provided visa availability for your category is current).

If you need additional services, such as work permit (if your H-1 is going to expire, or you have completed the six-year maximum period), or travel permit (Advance Parole) if you do not have a multiple entry visa in your passport, there is additional nominal fee. (A sample of our Retainer agreement is attached.)

Your other expenses are going to be the advertising costs and the filing fee to the U.S. Citizenship & Immigration Services.. As stated above, six sources of recruitment are required. The advertising fee (2 Sunday editions) can run up to $1,500 to $1,800, depending upon the length of the advertisement, the newspaper (in Atlanta, it is the AJC), the web advertising, and for other sources. We recommend that the employer also advertise on its company website, and have an employee referral program, and, of course, the local labor career center. This will complete the six sources of recruitment. We help you prepare for these sources all along and place the ads for you. The filing fees to the USCIS (Citizenship & Immigration Services) for the principal applicant is $1,485.

Our checklist is similar to the checklist for H-1 visa, which you have gone through before. If not, basically, we need copies (only) of your I-94, H-1 visa approvals (all; and H-1 petition filings, if you have them), diplomas and transcripts, experience letters (very important; they must show the dates of employment, title and skill sets used), passport (first three pages and page with the U.S. visa stamp). Also, the same documents are required for any family members (except education records). Later, we will need copies of your marriage and birth certificates (and for family members as well), which if not in English should be *accompanied* by copies of translations..

How long does the whole process take? We can only give our best guesstimate; because it depends on numerous factors, some unforeseen. It depends on what country you are from (India, China, Philippines, Mexico are always backlogged); what classification you are in (Master's degree requirement, or lesser) - but, in general, the process is likely to take about three years. Under PERM, labor certification is supposed to take a lot less time than before, (but the preparation time before filing can take up to 90 days) and we are not holding our breath! It may take up to six months, or more. PERM is a brand new procedure, and we do not have sufficient track record to go by. (One of our cases was approved the same day we filed it; the other is still pending after 90 days!) If you have any other questions, feel free to contact us. In Immigration matters, the greatest virtue is 'patience' and ask HIM to give it to you quickly!