

## An Overview of the Permanent Residence Process (Green Card)

## **PERM**

- GT sends employee and employer online questionnaire to complete.
- Minimum requirements drafted and approved.
- Employee experience letters verified by GT.
- Prevailing Wage requested from DOL (currently 3-4 months). If DOL issues an unfavorable PWD, GT must submit a new request which takes another 3-4 months (this can occur multiple times).
- Once favorable prevailing wage obtained, recruitment commences.
- Recruitment involves: 2 print ads, 3 additional recruitment sources, 30-day Job Order, and 10-day Internal Posting Notice.
- •30-day cool down period.
- Final draft of PERM sent to employer/employee for review prior to filing.
- PERM filed online with DOL.
- DOL issues a Notice 4-5 months after filing: (1) Audit request, or (2) Certification.
- If audited, all recruitment documentation is sent to the DOL for assessment. It will take approximately 18 months for DOL to review and certify.
- If certified, case progresses to I-140 stage.

## I-140 Immig. Petition

- •GT sends employee an online questionnaire to complete (capturing new I-94, salary change, etc.)
- Company required to show it has the ability to pay the proffered wage stated on the PERM.
  Annual report, tax returns, auditor's report, etc. may be requested.
- Case is filed with USCIS via regular processing. Currently taking approximately 6-8 months to process.
- If approved by company, case will be filed via premium processing, thereby getting an approval within 15 days of filing (unless a Request for Evidence is issued by USCIS).
- Premium processing only recommended if there is a legitimate business reason to expedite the case.
- •Once approved by USCIS, retrogressed I-140 cases will have to wait until they are current before proceeding to the I-485/AOS stage. Non-retrogressed cases proceed to next step.

## **I-485/AOS**

- •GT sends I-485/AOS online questionnaire and instructions to employee (and each family member if applicable). Copies of birth certificate for each applicant, as well as marriage certificate and divorce certificate(s) (if applicable) will be required.
- Employee (and each family member) completes a medical examination at a USCIS approved civil surgeon. Sealed envelope containing results sent to GT for filing purposes.
- GT files case with USCIS. If the employee's priority date is current at the time of filing the I-140 (stage 2), the I-140 and the I-485/AOS application will be filed concurrently (stages 2 and 3 filed together).
- Biometrics notice sent to employee 2-4 weeks after filing. Employee is instructed by USCIS to visit local District Office/Application Support Center.
- •I-485/AOS approved approximately 10 months after filing.