

The University of Alabama at Birmingham

1.

Department emails IFSIS written confirmation of desire to sponsor employee for permanent residence.



2.

IFSIS reviews current CV and job description and strategizes with department whether EB-2 PERM or EB-1B is more viable/necessary.



3.

If EB-2, department submits Statement of Responsibility and PERM Prevailing Wage Determination (PWD) forms to IFSIS.



IFSIS files prevailing wage determination (PWD) request with the Department of Labor (DOL) online.



6-8 months later, DOL emails
PWD to IFSIS. If department can
meet or exceed wage, IFSIS
emails recruitment schedule and
instructions to department
admin and UAB HRM Staffing
Specialist for DOL-specific ad
placement.



9.

After "quiet period," depart emails signed NOF to IFSIS. HRM Staffing Specialist emails <u>dated</u> evidence of all recruitment, including UAB careers website, AlabamaWorks!, *Birmingham News* tearsheets, professional journal, Indeed, etc. and applications of any US worker applicants received to IFSIS.



8.

Dept hiring manager reviews
minimally-qualified
applications from HRM
Staffing Specialist and
contacts US worker
applicants within two weeks
to confirm qualifications.



7.

After HRM Staffing Specialist confirms that first *external* ad is placed, dept admin posts internal, paper Notice of Filing (provided by email from IFSIS) for posting for 10 business days.



6.

HRM Staffing Specialist places required ads for **30-day** recruitment period, followed by **30-day** "quite period" during which applications continue to be received and minimally-qualified applications forwarded to dept hiring manager for review.



10.

IFSIS reviews ads, drafts final Recruitment Report for hiring manager signature, and creates PERM audit file.



11.

IFSIS files PERM online with the DOL to establish the employee's priority date, which determines when the employee will become eligible to apply for a green card later on, based on the Department of State's monthly visa bulletin.



12.

8-10 months later,
DOL emails the
certified PERM to
IFSIS (unless PERM is
selected for audit).

This completes ONLY the <u>Department of Labor phase</u> of the employee's permanent residence process. There are still two additional steps with <u>USCIS</u> toward permanent residence, outlined on the next page.

\*Notice what's missing? The sponsored employee. The sponsored employee cannot be involved at any stage of the PERM process other than to provide experience verification letters and copies of credentials. The PERM process depends entirely on the *job itself*.



## **EB-2 PERM Flow Chart**

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## **EB-2 PERM FAQs**

1) Will I receive updates about the various stages in the PERM process?

Generally, no. The PERM process is a long and complicated one involving almost exclusively the employer and the Department of Labor (DOL). There are often long periods of time (*i.e.*, several months) when the DOL is reviewing forms during which there will be no communication. The vast majority of the work is between the department and IFSIS. IFSIS will let you know if we need anything, but **IFSIS will otherwise not respond to emails asking for updates.** We do not have capacity to respond to update requests when there are no updates. IFSIS will let you know when the PERM is certified.

2) Why does PERM take so long? Is there premium processing or a way to expedite like with H-1Bs?

No. There is no way to expedite filings with the Department of Labor. PERM is a waiting game with very few updates. IFSIS will let you know when we need a document from you, or when the PERM is approved. If you want to obsess over DOL processing times, which fluctuate monthly and often have no bearing on when the PERM will actually be certified, you can check online any time here: <a href="https://flag.dol.gov/processingtimes">https://flag.dol.gov/processingtimes</a> (scroll down to the PERM section). IFSIS will have no further information.

3) What if I graduated from UAB and gained most of my experience here "on the job" during OPT?

This situation can severely complicate a PERM, since a sponsored employee cannot "count" experience gained while working for the sponsoring employer (UAB). If you have *only* worked at UAB and did not have *all* of the required skills for the PERM position *prior* to joining UAB, UAB will not be able to sponsor you for a PERM.

4) Does the PERM mean that I have a green card?

NO. A certified PERM means ONLY that the <u>Department of Labor</u> agrees that there were no eligible US workers for your job, so you are *eligible* to become a permanent resident *in the future* after two additional filings with USCIS are completed, as outlined below.

A.

After the PERM is
certified, IFSIS emails I140 packet to dept admin
for completion and
emails employee to come
sign the original PERM in

ink at our office.

В.

Dept admin and employee discuss who will pay the USCIS filing and/or premium processing fees. IFSIS plays no part in this decision—we just need check(s) in the appropriate amount(s).

C.

IFSIS prepares and files USCIS Form I-140 with USCIS via UPS/FedEx (with premium processing when requested).

D.

After USCIS approves the Form I-140,
IFSIS emails the employee an I-485
checklist (if their priority date is current)
to collect personal/biographical
documents necessary to file USCIS Form
I-485. THIS IS THE STEP WHEN THE
EMPLOYEE ACTUALLY APPLIES FOR A
"GREEN CARD."

Ε.

and travel card in connection with I-485 green card application.

Actual green card will take approx. 18 months to arrive. H-1B status must be extended in interim.