PERM Process Overview \ Special Handling

Strategy Session

Consider Immigration Status

Examine job opportunity and position requirements

Analyze beneficiary's remaining time in NIV and educational/work experience

Experience letters/credential evaluation?

Confirm

- FN's date of selection
- Recruitment sources (national prof journal)

Obtain

- Statement of hiring official (total # of applicants, why FN most qualified)
- Selection committee report (selecting FN)
- Letter with offer of employment to FN
- Copy of 30 calendar day ad in national prof journal (name/date of publication, job title, duties and requirements)
- Other recruitment sources
- Statement attesting to FN's education, qualifications, achievements

Verify FN satisfies requirements of ads Additional supporting evidence?

Prepare, File and Obtain Prevailing Wage (PWD)
** Detailed description of courses taught and duties

If CBA, include CBA and two letters (institution and CBA)

If no CBA, traditional PWD
Processing Time: 8 - 10 weeks

Prepare and provide Notice of Filing

If union involved, letter to representative

If no union, internal posting
Process Time: 10 consecutive business days

Confirm experience letters and any other required supporting documentation

Draft and obtain Hiring official statement

Prepare Compliance File

- PWD
- Notice of Filing was given
- Evidence of competitive recruitment
- Hiring official statement, selection committee report, copy of ads)

Wait 30 days after completion of 10-day posting period

Finalize PERM application and review with client

File PERM Application SH Monitor Filing

Processing Time: 4-6 months

NOTES:

SH process only available to college and university teacher
Filed within 18 months after FN's selection
Competitive recruitment process finding FN is the more qualified
Position permanent, tenure-track and F/T requiring "some actual classroom teaching"
Preference are typically considered as requirements

Advantages of SH

Relieves ER from: further recruitment, need to state salary in recruitment and posting on SWA
Process is streamlined vs traditional PERM
ER can hire the more qualified applicant rather than min qualified

*This material is only a general process overview and is not intended to substitute as legal advice.

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