

U.S. Permanent Resident Status Petitions EB-2

DEPARTMENTAL INQUIRY

Department contacts International Student and Scholar Office (ISSO) to receive Permanent Resident Sponsorship Form.

SUBMISSION OF PERMANENT RESIDENCY SPONSORSHIP FORM TO ISSO

Employing department submits original Sponsorship for Permanent Residency Sponsorship Form fully completed with all required signatures to the Senior International Officer (SIO). Upon approval, SIO routes form to ISSO.

REVIEW MEETING

After ISSO receives approved Sponsorship Form a review meeting is scheduled with department administrator and beneficiary (employee) to discuss paperwork needed (letters of support, CV's, copies of publications, etc.), departmental responsibilities, and timeline. Follow-up e-mail sent to department with instructions and template for requesting a prevailing wage determination.

PREVAILING WAGE DETERMINATION

Department submits request for prevailing wage determination to ISSO. ISSO submits request via Department of Labor (DOL) website. Determination takes 2-3 months. While waiting, ISSO send the department an email with list of items needed for the Labor Certification Application and templates.

LABOR CERTIFICATION APPLICATION

After DOL determines the prevailing wage and ISSO has everything it needs from the department, the ISSO submit the Labor Certification Application via the DOL website. This application must be submitted no more than 18 months after the beneficiary was offered the position. Certification usually takes 2-6 months but can take longer if the application is audited. About 30% of all labor certification applications are subjected to a random audit. Upon certification, an e-mail is sent to the department with Form I-140 and instructions and templates and to employee with Form I-485 and instructions.

I-140 DOCUMENTATION (DEPARTMENT)

I-140 and all supporting documentation is compiled and submitted to ISSO for processing. ISSO reviews for omissions or changes needed and returns to the department for corrections. Department completes corrections and returns to ISSO to be finalized.

I-485 DOCUMENTATION (EMPLOYEE)

Employee submits I-485 application to ISSO. ISSO reviews for omissions or changes needed and returns to employee for corrections. Employee completes corrections and returns to ISSO to be finalized.

SUBMISSION

Once finalized, department attaches check and mails Form I-140 to United State Citizenship and Immigration Services (USCIS). Once finalized, employee attaches check and mails Form I-485 to United States Citizenship and Immigration Services (USCIS) with departmental I-140 **OR** waits until after the I-140 has been approved and then submits the Form I-140 to USCIS. The I-485 cannot be submitted with the I-140 if the employee is from a retrogressed country (currently only China and India).

PROCESSING TIMES

Regular processing for the I-140 takes 4-6 months. Premium processing of the I-140 (additional cost) takes about one month. Approval of the I-485 and receipt of the green card take 2-3 months following the approval of the I-140.