



EMAIL BULLETIN

PERM LABOR CERTIFICATION PROCESS UPDATE

20 April 2005

As reported in previous Tindall & Foster Email Bulletins, the U.S. Department of Labor's Program Electronic Review Management System (PERM) for alien employment certification went into effect on March 28, 2005. Due to the time frames and requirements for pre-filing recruitment, relatively few applications have been filed nationwide under the new system. Of those filed, there have been no reports of approvals. Rather, applicants report denials within 24 hours. In some cases, applicants have received multiple denials for the same application, leading to the conclusion that the new PERM system is experiencing technology glitches and implementation difficulties similar to those predicted in previous Tindall & Foster Email Bulletins and at recent seminars related to the mechanics and logistics of implementing any new, large-scale government program.

As the DOL identifies and addresses software, program, and implementation glitches, we do anticipate, over time, a gradual movement to a more predictable and workable process. In the meantime, as always, Tindall & Foster will continue to monitor these developing issues and will provide updates as new information becomes available.

Once the initial implementation is on track and more data is available regarding the processing of applications, applicants will want to be prepared to submit their applications based on pre-filing recruitment. For more information regarding substantive and procedural requirements and case-specific strategy development, contact your Tindall & Foster immigration attorney. Your Tindall & Foster attorney will assist you in case evaluation, strategy development, recruitment planning, and filing an Application for Permanent Employment Certification under the new PERM program