



EMAIL BULLETIN

TEXAS WORKFORCE COMMISSION (TWC) ORDERS ALL LABOR CERTIFICATION APPLICATIONS PENDING AT THE STATE LEVEL TO BE TRANSFERRED TO THE DEPARTMENT OF LABOR (DOL) BACKLOG REDUCTION CENTER

14 December 2004

The Texas Workforce Commission (TWC), which was previously charged with initial review of Applications for Alien Employment Certification, recently sub-contracted this function to a private company, Enterject, Inc. Earlier this year, the TWC transferred most of its caseload to Enterject for intake, pre-screening and completion of the initial phase of case processing prior to recruitment and forwarding to the Department of Labor for a final adjudication.

In recent weeks, the U.S. Department of Labor (DOL) opened Backlog Reduction Centers to begin receiving and adjudicating Labor Certification Applications pending at the state level. Transfers of these cases have begun and are to continue through March. Based on the opening of the DOL Backlog Reduction Centers, and the transfer schedule announced by the DOL, it was anticipated that Enterject would also begin transferring cases that were not yet under assessment and that such cases would be transferred by the end of March.

It now appears that the TWC has ordered the transfer of all such cases from Enterject, including those currently undergoing assessment, to the U.S. DOL Backlog Reduction Center. Tindall & Foster will be inquiring of both the TWC and the DOL as to the instructions for responding to Assessment Notices which have already been issued by Enterject and will seek additional information regarding anticipated time frames for addressing these newly-transferred cases at the Backlog Reduction Center. While this announcement was sudden, it is consistent with the Federal Government's plan to centralize processing for greater efficiency, uniformity, and predictability and to implement a backlog reduction plan described in previous bulletins. As always, Tindall & Foster will continue to provide additional information as it becomes available via upcoming Email Bulletins and on our web site, <http://www.tindallfoster.com>.