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Employer-Sponsored Green Card Process

The Employer-Sponsored Green Card is sometimes called the PERM process. It basically allows an employer to sponsor an alien worker for Lawful Permanent Residence (also known as a Green Card.)

THE GREEN CARD PROCESS

This application process is a multi step process that includes several filings beyond the actual PERM application.

Step 1: PERM Application- The PERM application is a 2 step process.

The initial step is filing an **ETA 9141 for a Prevailing Wage Determination** with the US DOL. Once they issue the PWD, then you will need to post a notice in the work place to notify current employees that you are filing a PERM application and place ads in local newspapers.

The second step of the PERM Application is to file an **ETA 9089, Application for Permanent Employment Certification** for the named beneficiary including information about the job & wage offered. Once the US DOL certifies the ETA 9089, you can move to Step 2.

Step 2: I-140 Immigrant Petition for Alien Workers

This petition is filed by the employer on behalf of the named beneficiary that the employer is sponsoring. Following a review, if the petition is approved, it allows the beneficiary of the petition to file for Adjustment of Status. Approval of this petition does not grant immigrant status or guarantee that the beneficiary will be approved for adjustment of status.

Step 3: I-485 Application to Register Permanent Residence or Adjust Status

The Form I-485 is filed by the named beneficiary of the I-140.

Step 4: I-765 Application for Employment Authorization

While the I-485 is pending, the named beneficiary can file an I-765 in order to obtain employment authorization in the US while the I-485 is pending.

Step 5: I-131 Application for Travel Documents

Necessary if the alien wishes to leave the United States while the I-485 is pending.

If an alien is inside the United States and has filed Form I-485, Application to Register Permanent Residence or Adjust Status, we generally will consider their Form I-485 abandoned if they leave the United States without first obtaining an Advance Parole Document.

Step 6: I-290B Motion to Reopen

In the event of a denial, there is no opportunity to appeal. However, it is possible to file an I-290B Motion to Reopen/Motion to Reconsider.

ATTORNEY FEES & COSTS

The cost of the PERM process runs several thousand dollars. This is an estimate of the actual costs:

Attorney Fees

- **PERM Application: \$2,500**

due when the ETA 9141 is filed;

includes the filing of the ETA 9141 & ETA 9089 and responding to any audit or RFE

- **I-140 Immigrant Petition for Alien Workers: \$750**

due when I-140 is filed

- **I-485 Application to Register Permanent Residence or Adjust Status: \$750**

due when the I-485 is filed

- **I-765 Application for Employment Authorization: \$500**

due when I-765 is filed

- **I-131 Advance Parole (needed to travel outside the US when I-485 is pending): \$250**

due when I-131 is filed

- **I-290B Motion to Reopen (in the event of a denial): \$500**

due when I-290B is filed

- **I-485 Interview: \$300 (optional)**

This covers the cost of my time and travel and expenses to attend the interview at the USCIS field office in New Orleans, Louisiana.

Costs & Government Fees

Advertising: The employer will need to place ads in certain required publications. The cost usually runs \$800-\$1200

Government Fees

- **PERM Application:** None
- **I-140:** \$715 + \$300 (small employer fee; the fee will be more if employer doesn't qualify as a small employer) payable to the US Department of Homeland Security
- **I-485:** \$1440 payable to the US Department of Homeland Security, includes filing fee and biometrics fee
- **I-765:** \$260 payable to the US Department of Homeland Security
- **I-131:** \$630 payable to the US Department of Homeland Security
- **I-290B:** \$675 payable to the US Department of Homeland Security

These Government fees are all subject to change.

If you have an H2A employee or other non-immigrant that you wish to sponsor for a lawful permanent residence, I would love the opportunity to help you with this process. Please fill out the contact form on my website or email me for further information.