# GREEN CARD PROCESS FOR EB-2 - TEACHING FACULTY

## STAGE 1

Determine which Department of Labor O*NET job category is the best fit

Determine and confirm UK's MINIMUM academic, experience and skill requirements for the job

Ensure the requirements are "normal" to the occupation

Ensure the employee satisfied the job requirements prior to joining the employer or the date on which the faculty member was "selected" for the position.

Gather and review the recruitment materials and determine if "new" ads are required. A process called "Reselection".

Request the "Prevailing Wage" from the State Workforce Office (processing times fluctuate)

Post a job order with the State Workforce Office for 30 days and/or...

...post notice at the worksite for 10 consecutive business days as well as in any in-house print or online media

Advertise for the position through designated recruitment sources:

## STAGE 2

### PREPARING AND FILLING THE ETA 9089 (PERM) WITH THE U.S. DEPARTMENT OF LABOR

- ISSS calculates and sets deadlines to filing (no earlier than 30 days after the notice of filing is removed and no later than 180 days after the notice of filing is posted)
- ISSS preparing the ETA 9089 form for submission
- ISSS gathering documents for the audit file - required to maintain for 5 years
- ISSS submits the application through Department of Labor online PERM system

Contents of AUDIT File:
- Summary of recruitment letter
- Attestation of qualifications document
- Copy of original offer of employment (or reconfirmation letter if reselection)
- Notice of filing - 10 days + a required 30 day cooling off period
- Prevailing wage determination
- Transcripts/diplomas to confirm qualifications

*DOL online PERM system processing times for ETA 9089 varies.*

## STAGE 3

Employer must file an I-140 Immigrant Petition with USCIS and demonstrate that the employee meets the requirements of the labor certification

- ISSS preparation of the form I-140 and gathering of the supporting documents.
- Submission to USCIS

USCIS processing time: varies. Premium processing is faster but expensive.

## STAGE 4

If "priority date isn't current" the wait time will be longer

Employees may choose to complete the permanent residence process at the U.S. Consulate in their home country via "consular processing" rather than file the I-485

If the employee's priority date (date of PERM filing) is current, the employee may choose to file their I-485 permanent residence application together (concurrently) with Form I-140 but the employee is responsible for preparing and providing this documentation to ISSS.

**International Student and Scholar Services**
*International Center*