



EB-3 EMPLOYMENT-BASED IMMIGRATION VISA

GM INTERNATIONAL CONSULTANTS LLC SERVICES

Do you need workers but can't fill the demand with local candidates? You need to know that there is another option! The EB-3 Permanent Resident Visa is what you need to obtain valued workers. Each year the government authorizes workers from foreign countries to fulfill companies' demands with professionals, skilled and unskilled workers.

GM INTERNATIONAL CONSULTANTS LLC can help you navigate the process by developing customized applications and materials tailored to your specific needs.

WHAT IS THE EB-3 VISA?

The third preference category of employment-based immigration is for professionals, skilled workers, and other workers. All petitions filed in the EB-3 category require a permanent, full-time job offer and a labor certification; there are no exceptions. Each year the third preference is allotted about 40,000 visas.

As we mentioned before, The EB-3 immigration category has three subcategories:

- **Professionals:** Must demonstrate that a baccalaureate degree is a normal requirement for entry into the occupation. Education and experience may not be substituted for a baccalaureate degree.
- **Skilled Workers:** Must be able to demonstrate at least 2 years of job experience or training.
- **Other Workers:** Must be capable, at the time the petition is filed by the sponsoring employer, of performing unskilled labor (requiring less than 2 years training or experience) that is not of a temporary or seasonal nature, for which qualified workers are not available in the U.S unskilled workers are limited to no more than 10,000 visas per year.

Some of the highlights of the EB-3 category include:

- Permanent residence to the worker in the US for 10 years.
- Ability to travel freely.
- For the EB-3 process, the employer is the petitioner and the alien is the beneficiary.
- The EB-3 visa holder may apply for dependent visas for his/her spouse or unmarried children under age 21.

EB-3 APPLICATION PROCESS

The steps involved in the EB-3 process can take varying amounts of time:

FIRST STAGE

1. U.S. employer must define the duties and minimum requirements of the permanent position offered to the foreign national.
2. Submit to the Department of Labor (DOL) a Prevailing Wage Determination. DOL will determine the minimum wage that the sponsoring employer must pay the foreign national.
3. DOL requires the employer to test the U.S labor market by advertising its position and making it available to U.S workers. The purpose of this stage is for the employer to determine that no qualified, willing U.S. workers were found for the position offered.
4. After the recruitment effort ends, the employer can file with DOL the Labor Certification for the foreign worker. It may take the DOL several months (6-8 months) to adjudicate the PERM application. DOL can certify, deny or audit the PERM.

SECOND STAGE

1. After the PERM/Labor Certification has been certified by the DOL, the second step is for the employer to file the Immigrant Petition (I-140) with USCIS. The purpose of the petition is to prove that the foreign national is qualified to fill the position as well as to prove that the employer has the financial ability to pay the proffered wage to the foreign national. USCIS can take several months to adjudicate the petition. However, upon payment of additional fee, USCIS can adjudicate the petition via Premium Processing within 15 calendar days.
2. USCIS can approve, deny the petition or request more information (RFI); in that case, the employer needs to present additional evidence to support the eligibility.

THIRD STAGE

The final step in the process happens after USCIS approves the I-140 petition. The foreign worker can follow two different procedures to get the Green Card:

- a) If the worker is already in the United States with a valid status and an immigrant visa is available, he/she can file an Adjustment of Status. The foreign worker can apply for employment authorization (I-765) and work while the case is pending.
- b) If the foreign professional is not in the United States, he/she applies for an EB-3 immigrant visa at a U.S Consulate abroad once a visa is available.



EB-3 EMPLOYMENT-BASED IMMIGRATION VISA

DOES YOUR COMPANY QUALIFY FOR THE EB-3 VISA?

The EB-3 employment-based immigration visa requirements for the sponsor are:

- To be able to show that the employer is able to pay the wage offered by the time of the beneficiary visa priority date.
- Must provide documents such as an annual report, federal income tax return, or audit financial statement to demonstrate an ability to pay the wage.
- The employer's job opportunity must be permanent and full-time.
- Be an employer with a valid Federal Employer Identification Number (FEIN).
- Have a business in the United States.

ADDITIONAL SERVICES

GM INTERNATIONAL CONSULTANTS LLC, as your agent, will ensure that your company and workers are in strict compliance with the Department of Labor and U.S. Citizenship and Immigration Services (USCIS) law and regulations.

But, GMIC's services do not finish there; we want to ensure that your new employees are set up for success right from the start. GMIC will make sure the transition or relocation is as smooth as possible for your company and the workers.

Our services include:

- Provide ongoing support for you and your workers during the term of their visas.
- Assistance to the foreign worker the day of the interview, providing transportation, lodging, and meals.
- Greet new employees at the airport and transport them to your company's headquarters.
- Provide workers with an orientation session that gives them the knowledge they need to be productive in the U.S. culture and professional environment.
- Assist workers with setting up social security numbers, opening bank accounts.
- Work with employers to coordinate temporary housing.

COSTS

GM INTERNATIONAL CONSULTANT's goal is to ensure you understand the essential program requirements and help you processing all necessary procedures with State and Federal agencies to meet your labor needs.

GM SERVICE COSTS

EB-3 PERM Labor Certification.....	\$ 10,000.00
- Prevailing Wage	
- Basic Recruitment Report	
- Response Basic Audit	
Preparing and Filing I-140 (per worker).....	\$ 4,000.00
Audit, RFE, RFI (if applicable)..	\$ 2,500.00

EMPLOYER GOVERNMENT COSTS

USCIS I-140 fee.....	\$ 700.00
Premium Processing fee (optional) (1).....	\$ 2,500.00

OTHER COSTS

Local newspaper ads	
Recruitment (Per worker).....	\$ 1,500.00

(1) Premium processing is a USCIS service that guarantees initial action on the case within 15 days of issuing a receipt notice. The employer or foreign worker can pay the fee.

AFFILIATIONS

GM INTERNATIONAL CONSULTANTS LLC has affiliated companies working together to provide its customers with a comprehensive service in their workforce needs.

