

# Legal Permanent Residence (Green Card) Process

		TASKS	ESTIMATED TIME TO COMPLETE
<b>Step 1:</b> <b>ETA-9089 Labor Certification to Department of Labor</b> <b>(MUST FILE within 18 months of initial offer letter)</b>	A. <b>ISO Initiation</b>	<b>ISO:</b> Submits Prevailing Wage Request to Department of Labor (DOL) Drafts ETA-9089 Labor Certification. Reviews documents from H-1B file. Sends labor certification email to unit.	
	B. <b>Unit posts notice, prepares documents</b>	<b>Unit/Scholar:</b> Reviews labor certification email, gathers documents. Posts notice to U.S. workers immediately for <b>10 business days</b> . Prepares draft Recruitment Report and submits to ISO for review. <b>DOL:</b> Adjudicates and issues Prevailing Wage Determination. May request more information as necessary.	<b>6-13 months</b> for DOL to issue Prevailing Wage Determination
	C. <b>ISO finalizes, files ETA-9089</b>	<b>ISO:</b> Reviews Recruitment Report and other documentation, contacts unit for any missing information. Completes ETA-9089 and submits it to DOL.	
	D. <b>Labor Certification Adjudication</b>	<b>DOL:</b> Adjudicates Labor Certification and sends to ISO. May perform audit, which requires additional documentation and response time from ISO and unit.	<b>2-10 months</b> for DOL to approve Labor Certification
<b>Step 2:</b> I-140 Petition to USCIS <b>(MUST FILE within 6 months of ETA-9089 certification by DOL)</b>	E. <b>ISO drafts, files I-140 Immigrant Petition</b>	<b>ISO:</b> Drafts I-140 Immigrant Petition and sends to unit for review. Meets with scholar to explain process further. <b>Unit:</b> Reviews I-140 with scholar; sends \$700 filing fee check to ISO <b>ISO:</b> Finalizes and files I-140 Immigrant Petition with U.S. Citizenship and Immigration Service (USCIS).	
	F. <b>USCIS Processes I-140 Petition</b>	<b>USCIS:</b> Issues I-797 Receipt Notice with receipt date and receipt number. Requests more evidence (as necessary); adjudicates petition. Issues I-797 Approval Notice to ISO.	<b>2 weeks*-12 months</b> for USCIS to adjudicate I-140 Immigrant Petition *with payment of \$2,500 Premium Processing fee
<b>Step 3:</b> <b>Adjustment Application to USCIS</b>	G. <b>Scholar Prepares I-485 Application to Adjust Status</b>	<b>Scholar:</b> Gathers documents and completes I-485 Application to Adjust Status and supporting forms (with assistance of counsel, if preferred) Files I-485 packet with USCIS.	
	H <b>USCIS Processes I-485 Application to Adjust</b>	<b>USCIS:</b> Issues I-797 Receipt Notice(s) with receipt date and receipt number, and biometrics appointment notice(s). Issues employment authorization (EAD) and travel authorization (Advance Parole), often on same card. Requests more evidence (as necessary); adjudicates application(s). May interview employee. Issues I-797 Approval Notice(s) and I-551 Permanent Resident card.	<b>6-21 months</b> for USCIS to issue work and travel authorization  <b>3-24 months</b> for USCIS to approve and issue green card