

Legal Permanent Residence (Green Card) Process

		TASKS	ESTIMATED TIME TO COMPLETE
Step 1: ETA-9089 Labor Certification to Department of Labor (MUST FILE within 18 months of initial offer letter)	A. ISO Initiation	ISO: 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. Unit posts notice, prepares documents	Unit/Scholar: Reviews labor certification email, gathers documents. Posts notice to U.S. workers immediately for 10 business days . Prepares draft Recruitment Report and submits to ISO for review. DOL: Adjudicates and issues Prevailing Wage Determination. May request more information as necessary.	45-150 days for DOL to issue Prevailing Wage Determination
	C. ISO finalizes, files ETA-9089	ISO: Reviews Recruitment Report and other documentation, contacts unit for any missing information. Completes ETA-9089 and submits it to DOL.	
	D. Labor Certification Adjudication	DOL: Adjudicates Labor Certification and mails to ISO. May perform audit, which requires additional documentation and response time from ISO and Unit.	2-10 months for DOL to approve Labor Certification
Step 2: Immigrant Petition to USCIS (MUST FILE within 6 months)	E. ISO drafts, files I-140 Immigrant Petition	ISO: Drafts I-140 Immigrant Petition and sends to unit for review. Meets with scholar to explain process further. Unit: Reviews I-140 with scholar; sends \$700 filing fee check to ISO ISO: Finalizes and files I-140 Immigrant Petition with U.S. Citizenship and Immigration Service (USCIS).	
	F. USCIS Processes I-140 Petition	USCIS: Issues I-797 Receipt Notice with receipt date and tracking number. Adjudicates petition and requests more evidence as necessary. Issues I-797 Approval Notice to ISO.	2 weeks*-12 months for USCIS to adjudicate I-140 Immigrant Petition *with payment of \$2,500 Premium Processing fee
Step 3: Adjustment Application to USCIS	G. Scholar Prepares I-485 Application to Adjust Status	Scholar: 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. USCIS Processes I-485 Application to Adjust	USCIS: Issues I-797 Receipt Notice(s) with receipt date and tracking number and biometrics appointment notice(s). Issues employment authorization (EAD) and travel authorization (Advance Parole), often on same card. Adjudicates application(s) and requests more evidence as necessary. Interviews employee. Issues I-797 Approval Notice(s) and I-551 Permanent Resident card.	4-6 months for USCIS to issue work and travel authorization 6-24 months for USCIS to approve and issue green card