

ADVERTISING REQUIREMENTS FOR PERMANENT RESIDENCY HIRES

The federal government recently made significant changes to the process of filing applications for permanent residence for international employees. Under section 212(a)(5)(A) of the Immigration and Nationality Act (INA or Act) (8 U.S.C. 1182(a)(5)(A)), certain aliens may not obtain immigrant visas for entrance into the United States in order to engage in permanent employment unless the Secretary of Labor has first certified to the Secretary of State and to the Secretary of Homeland Security that:

- (1) There are not sufficient United States workers who are able, willing, qualified and available at the time of application for a visa and admission into the United States and at the place where the alien is to perform the work; and
- (2) The employment of the alien will not adversely affect the wages and working conditions of United States workers similarly employed.

In the event that you know or anticipate that your recruitment efforts will result in the hiring of an international candidate you must follow the PERM regulations posting requirements provided by the Department of Labor listed on the UC International website at <http://www.uc.edu/international/services.html>. Detailed instructions regarding this process may be obtained from the ISSO site by selecting:

1. Immigration regulation statuses
2. Visa types
3. Permanent resident
4. Sponsorship for Permanent Residency page

ISSO and Human Resources work together in assisting departments with this process.

Full guidelines are also available on the Department of Labor website at www.dol.gov.