Employment-Based "Green Card" flowchart

Step 1
PERM/Labor Certification

Consider immigration status (H-1B, TN, P-1, O-1, E-3 or others)

Define job opportunity

File and obtain prevailing wage

Outline and perform recruitment

Obtain experience letters

Obtain evidence of business necessity

Evaluate applicants

Determine if can proceed

File Labor Certification/ PERM application with DOL (Priority Date Set)

PERM Certified

Prepare and file Immigrant Visa Petition

Audit

Prepare a response

Denied

Consider no action, restarting or appealing

Step 2
Immigrant Visa Petition (I-140)

Strategize filing

Obtain and prepare supporting documents and petition

File I-140 petition with USCIS

Approved

Check Priority Date, if current

Prepare and file Adjustment of Status (AOS)

RFE

Prepare a response

Denied

Consider refiling or appealing

Step 3
Adjustment of Status (AOS) ("Green Card") Application

Strategize filing

Prepare and file AOS package

Travel Restrictions

Work Permit / Travel Docs (EAD / AP) (90 days post filing)

Approved

Foreign National receives "Green Card"

RFE

Prepare a response

Denied

Consider refiling or appealing

- OR -

Consulate
Visa Processing

Strategize filing

File routed to designated U.S. Consulate

U.S Consulate or NVC issues an appointment for Visa Interview and medical exam

Prepare documents and applicant for interview

Interview

Approved

"Green Card" approved

Denied

Consider options

*This material is only a general process overview and is not intended to substitute as legal advice.

MarksGray
LAWYERS FOR ENTERPRISE℠

Giselle Carson, Esq. | Shareholder
Business Immigration and Compliance
1200 Riverplace Boulevard, Suite 800
Jacksonville, FL 32207
Gcarson@marksgray.com
Tel: (904) 398 - 0900