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OHIO PROVIDER RESOURCE
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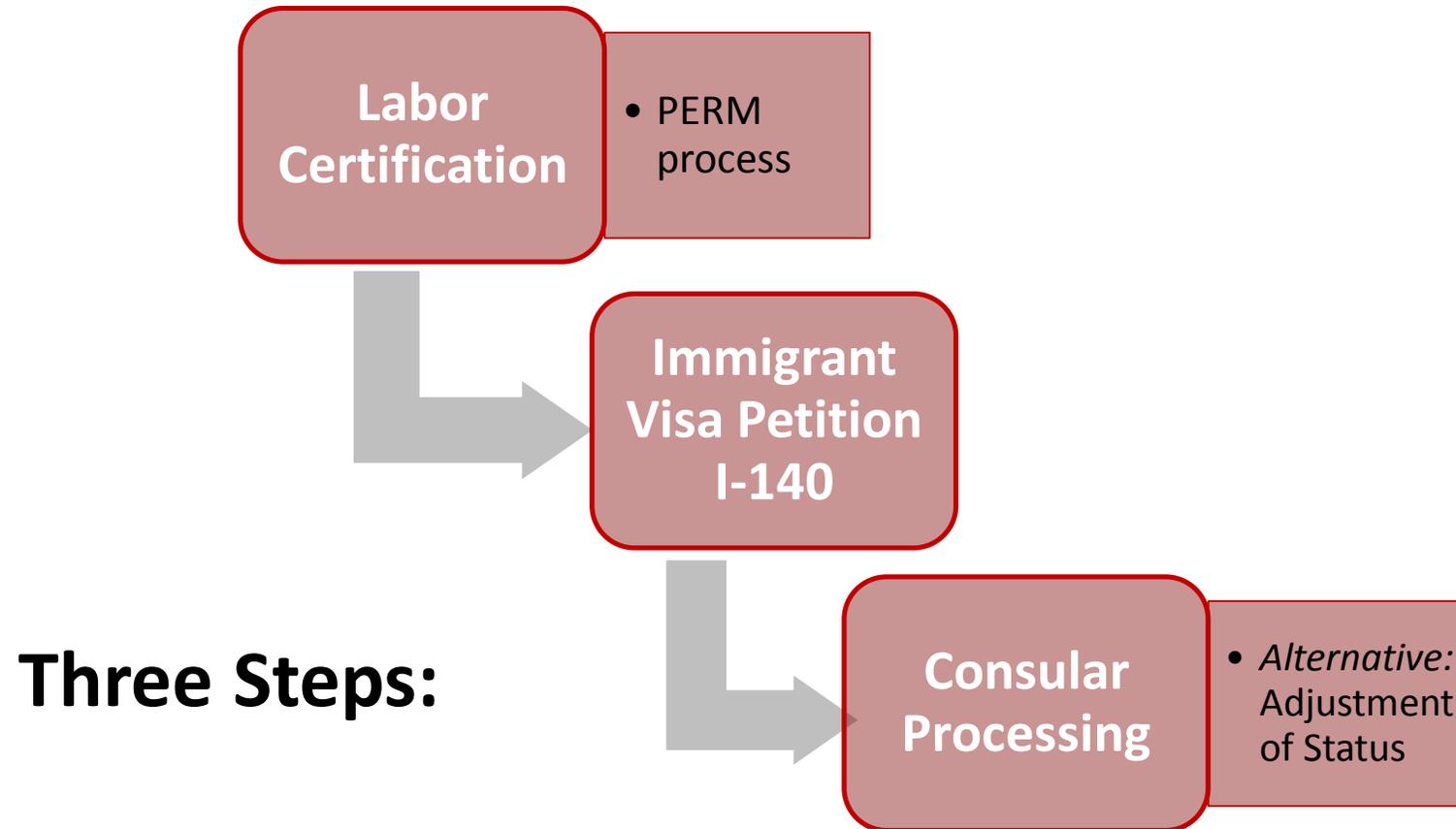
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IMMIGRANTS CAN ADDRESS LABOR SHORTAGES

- Employment Based Immigrant Visas
 - Employment Based Third Preference
- Humanitarian Admissions
 - Refugee program is being restored
 - Afghan Refugees
 - Crisis or opportunity at the Southern Border
- Family Based Immigration
- Problem of limited numbers
 - Visa Bulletin

EMPLOYMENT BASED IMMIGRATION



LABOR CERTIFICATION

- Shortage of US workers, ready, willing, able, and qualified
- Wage offered at prevailing wage
- Permanent Position
 - DOL definition of permanent: 1 year or more
- Preparation
 - Job description
 - Recruiting to demonstrate labor shortage
- Registration on web-based system
- Applications are filed and processed electronically

STEPS FOR LABOR CERTIFICATION



IMMIGRANT VISA PETITION (FORM I-140)

- Filed with United States Citizenship & Immigration Services (USCIS)
- Demonstrates
 - Employer's ability to pay offered wages
 - Beneficiary's qualifications for the position
 - Assigns visa classification (EB-3)
- Processing times (reported)
 - Currently 10 to 10 ½ Months
 - Premium processing available
 - 15 day processing
 - \$2500 additional fee

CONSULAR PROCESSING (IMMIGRANT VISA APPLICATION)

- USCIS forwards approved petition to National Visa Center (NVC)
- NVC collects supporting documents
 - Birth and family records, police records, medical records
- Determination of Admissibility
- Interview scheduled with Consular officer
 - Processing times vary by post
 - COVID precautions have brought the consular process to a crawl
- Family members apply with principal
- Immigrant visa is issued, applicant travels to US and is admitted as immigrant

LIMITED VISA NUMBERS

- Basic limit is 140,000 employment based visas per year
 - EB-3 allocated 28.6%, “other workers” not to exceed 10,000/year
 - Per country limitations apply to India, China, Philippines & Mexico
- “Priority date” established upon filing of PERM application
- Immigrant visa cannot be issued unless priority date is current
- State Department publishes Visa Bulletin monthly
 - <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html>

VISA BULLETIN – OCTOBER 2021

Employment-based	All Chargeability Areas Except Those Listed	CHINA-mainland born	EL SALVADOR GUATEMALA HONDURAS	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C	C
2nd	C	01JUL18	C	01SEP11	C	C
3rd	C	08JAN19	C	01JAN14	C	C
Other Workers	C	01FEB10	C	01JAN14	C	C
4th	C	C	15MAR19	C	01MAR20	C
Certain Religious Workers	U	U	U	U	U	U
5th Non-Regional Center (C5 and T5)	C	22NOV15	C	C	C	C
5th Regional Center (I5 and R5)	U	U	U	U	U	U

HUMANITARIAN IMMIGRATION PROGRAMS

- Refugee Admissions
 - Biden Administration has increased refugee admissions to 125,000
 - Agencies are re-building infrastructure
- Central Ohio Anticipated Refugee Arrivals
 - CRIS
 - US Together
- Temporary Protected Status
 - Available for citizens of countries determined to have temporary humanitarian concerns
- Deferred Action for Childhood Arrivals (DACA)
- Individual Applications for Political Asylum



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