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## **U.S. DOL ANNOUNCES APRIL 15<sup>TH</sup> AND JULY 1<sup>ST</sup> EFFECTIVE DATES FOR NEW LCA AND PERM FORMS**

The U.S. Department of Labor (DOL) recently announced the effective dates for the Department's new web portal and new Form ETA-9035 Labor Condition Application and Form ETA-9089 PERM Labor Certification Application.

The DOL will begin accepting the new Form ETA-9035 on April 15, 2009, and will discontinue accepting the old Form ETA-9035 on May 15, 2009. Certifications issued on the old form will remain valid for timely filed H-1B petitions.

The DOL will begin accepting the new Form ETA-9089 on July 1, 2009, and will discontinue accepting the old Form ETA-9089 on August 1, 2009. Certifications issued on the old form will remain valid for timely filed I-140 Immigrant Visa Petitions.

The new forms require more information and detail than earlier versions. Additionally, because the ETA-9035 Labor Condition Application (LCA) certification process may no longer be instantaneous due to DOL substantive review of applications, it will be necessary to plan ahead for the preparation and filing of the LCA for H-1B Change of Employer and Extension petitions. DOL changes could extend the lead-time for filing H-1B petitions by as much as 2 weeks.

As always, Foster Quan will continue to monitor DOL programmatic changes and will make new information available in future Immigration Updates<sup>©</sup> and on our firm's website at [www.fosterquan.com](http://www.fosterquan.com).