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U.S. DEPARTMENT OF LABOR (DOL) REPORTS CLEARANCE OF 363,000 BACKLOGGED APPLICATIONS FOR PERMANENT EMPLOYMENT CERTIFICATION, MANY OF WHICH WERE PENDING FOR OVER FIVE YEARS

On October 1, 2007, the U.S. Department of Labor (DOL) announced the elimination of the years-long backlog of more than 350,000 pending Applications for Permanent Employment Certification, some of which had been pending for more than five years.

In an effort to eliminate the backlog, in 2004 the DOL established Backlog Elimination Centers and devoted resources to the rapid completion of the adjudication process. While the DOL had forecast complete adjudication by September 30, 2007, the enormity of the task and the previous record of adjudication rates left many immigration practitioners and employers skeptical.

DOL adjudicators acknowledge that some cases remain pending due to ongoing “clean-up” efforts by a reduced staff at the Backlog Elimination Centers. The DOL has not announced publicly a date upon which final determinations are expected in these remaining cases.

As always, Tindall & Foster, P.C. will continue to monitor the progress in government adjudications and will provide relevant information our clients via future Email Bulletins and the Tindall & Foster, P.C. web site at www.tindallfoster.com. Should you have questions regarding a pending Application for Permanent Employment Certification, or require additional information regarding the initiation of the labor certification process under the DOL’s more streamlined PERM procedures, please contact your Tindall & Foster immigration attorney.