A permanent labor certification issued by the Department of Labor (DOL) allows an employer to hire a foreign worker to work permanently in the United States. To meet minimum standards, the DOL must certify that the employment of the foreign worker will not adversely affect the wages and working conditions of similarly employed U.S. workers. Certification is required before the employer can file an immigrant petitions with the United States Citizenship and Immigration Services (USCIS) for permanent resident status.

Process for Filing

1. Application. The employer must complete an Application for Permanent Employment Certification, ETA Form 9089. A completed application will describe the job duties, qualifications, training, and other conditions of employment. The employer must submit the completed application to the U.S. Citizenship and Immigration Services (USCIS) with the appropriate fee.

2. Signature requirement. Applications submitted by mail must contain the original signature of the employer, foreign worker, and preparer, if applicable. When the labor certification is issued to the foreign worker, employers must sign it immediately.

3. Processing. Prior to filing ETA Form 9089, the employer must state the wage and state that employment of the foreign worker will not adversely affect the wages and working conditions of similarly employed U.S. workers. The employer must complete an Application for Permanent Employment Certification, ETA Form 9089.

4. Registration. To ensure employers are not filing for the same occupation, the DOL requires employers to register with the national prevailing wage database. The registration must be renewed every 180 days.

5. Audits. The employer must be prepared to provide documentation to support the certification.

6. Relocation. The employer must complete a pre-arrival plan for the foreign worker.

7. Approval. After the application is approved, the employer must file an immigrant petition with the USCIS for permanent resident status.

What do I do now that the permanent labor certification is approved?

After the certification is approved, the employer must:

1. Prepare an Immigrant Petition for an Alien Worker, USCIS Form I-129.


3. Provide the immigrant visa petition to the foreign worker.

4. Complete the American immigration process.

How long will the PERM application take?

The processing time for the PERM application varies depending on the state and the USCIS Service Center where the application is filed. Typical processing times are listed at the USCIS website (http://www.uscis.gov). The processing time for the application may be longer if the USCIS Service Center needs additional information to determine the prevailing wage.

For more information about the PERM process, visit the DOL’s website (http://www.foreignlaborcert.doleta.gov) or contact the National Processing Center (NPC) at 404-893-0101.

Visit the DOL’s website (http://www.foreignlaborcert.doleta.gov) for more information about the PERM process. The website provides detailed instructions on how to apply for a PERM labor certification, including information about the prevailing wage, the application process, and the requirements for recruiting U.S. workers. The website also includes links to forms and instructions for completing the application.

For more information, visit the DOL’s website at http://www.foreignlaborcert.doleta.gov/perm_detail.cf.