

I-140 Instructions	Old	New
<p data-bbox="164 275 384 401"><i>Instructions page 3, under “General Evidence”</i></p> <p data-bbox="164 1812 384 1873"><i>Instructions page 3, under</i></p>	<p data-bbox="407 275 699 302">1. Labor Certification</p> <p data-bbox="407 348 834 779">Petitions for certain classifications must be filed with a certification from the U.S. Department of Labor or with documentation to establish that the alien qualifies for one of the shortage occupations in the Department of Labor's Labor Market Information Pilot Program or for an occupation in Group I or II of the Department of Labor's Schedule A.</p> <p data-bbox="407 825 834 1619">A certification establishes that there are not sufficient workers who are able, willing, qualified, and available at the time and place where the alien is to be employed and that employment of the alien, if qualified, will not adversely affect the wages and working conditions of similarly employed U.S. workers. Application for certification is made on Form ETA-750 and is filed at the local office of the State Employment Service. If the alien is in a shortage occupation, or for a Schedule A/Group I or II occupation, you may file a fully completed, uncertified Form ETA-750 in duplicate with your petition for determination by the USCIS that the alien belongs to the shortage occupation.</p> <p data-bbox="407 1665 834 1873">NOTE: When filing for a Schedule A/Group I or II occupation, the petitioner must include evidence of having complied with the Department of Labor regulations at 20 CFR</p>	<p data-bbox="868 275 1161 302">1. Labor Certification</p> <p data-bbox="868 348 1544 743">Petitions for certain classifications must be filed with an original individual labor certification from the U.S. Department of Labor (DOL) or with documentation to establish that the alien qualifies for one of the shortage occupations designated in Group I or II of the DOL's Schedule A. If an individual labor certification is required, then the original individual labor certification must be submitted with the petition, unless the original labor certification has already been provided to USCIS in support of a different petition.</p> <p data-bbox="868 789 1544 1367">A labor certification establishes that there are insufficient U.S. workers who are able, willing, qualified, and available to fill the position being offered to the alien at the time and place where the alien is to be employed, and that the employment of the alien, if qualified, will not adversely affect the wages and working conditions of similarly employed U.S. workers. Application for labor certification is currently made on Form ETA-9089. Labor certification applications filed before March 28, 2005 were filed on Form ETA-750. If the alien is to be employed in a Schedule A, Group I or II shortage occupation, then you may file a fully completed, uncertified Form ETA-9089 in duplicate with your petition for determination by the USCIS that the alien belongs to the shortage occupation.</p> <p data-bbox="868 1413 1544 1583">See 20 CFR 656 or the DOL website, http://www.foreignlaborcert.doleta.gov, for further information about obtaining an individual labor certification or about Schedule A, Group I or II shortage occupations.</p>

<p>“General Evidence”, “Copies.”</p>	<p>656.222(b)(2), which require that the position or positions be properly posted for a minimum of ten consecutive days.</p> <p>Keep this paragraph as is:</p> <p>Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.</p> <p>Add a new paragraph directly under the “Copies” Paragraph above.</p>	<p>Please Note: Individual labor certifications issued by the Department of Labor must be submitted in the original, unless the original labor certification has already been provided to USCIS in support of a different petition.</p>
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