LABOR CERTIFICATION PROCESS
(for permanent labor certification ONLY)
Guidelines below apply to non-faculty positions
Different guidelines exist for faculty positions—contact Human Resources

What is the labor certification process?
- The labor certification process is a test of the labor market that the employer must conduct to demonstrate to the Department of Labor that:
  i. There are not sufficient U.S. workers who are able, willing, qualified and available at the time of the application for a visa and admission to the U.S. and at the place where the alien is to perform such skilled or unskilled labor; and
  ii. The employment of such alien will not adversely affect the wages and working conditions of workers in the U.S. who are similarly employed.

In order to process a labor certification in compliance with current regulations, the following conditions need to be met:

1. The requesting department must have had a position vacant for a minimum of six months.
2. The position must have been advertised for two consecutive Sundays in a local newspaper.
3. The requesting department must present to HR a search report that contains the following items:
   a. Copies of all recruitment advertisements published in newspapers and dates published,
   b. Resumes of all candidates who applied for the position,
   c. Resume of the selected candidate,
   d. Affirmative Action form,
   e. Reasons for non-selection of U.S. citizens,
   f. Attestation why no U.S. citizen was qualified to perform the work,
   g. A full, clear explanation of the system that the employer used to set the salary that the candidate will be paid,
   h. Offer letter sent to the candidate,
   i. Job description that lists the specific work the candidate will be employed to perform.
4. The requesting department must be prepared to pay handling fees for processing the labor certification.
5. HR prepares the labor certification documents and, in concert with the Office of International Programs (OIP), processes the request to the U.S. Department of Labor.
6. When approved by the USDOL, HR or the OIP will advise the requesting department that the candidate can begin work.