

United States – EB-3 Application Package (Green Card for Skilled Workers) Procedures and Fees

EB-3 application for Skilled Workers, Professionals, and Unskilled Workers receive 28.6% of the yearly worldwide limit of employment-based immigrant visas, plus any unused visas from the Employment First Preference and Second Preference categories. This category is the third preference of the employment-based immigrant visa.

To apply for a green card through EB-3 application, the applicant must have an approved Immigrant Petition for Alien Worker, Form I-140, filed by the qualified prospective employer. The prospective employer must obtain a Prevailing Wage Determination (PWD) to apply for Program Electronic Review Management (PERM). After that the applicant will be requested to attend an interview conducted by consular at U.S. Embassy.

The total processing time is estimated approximately 24-28 months.

Family members of the EB-3 immigrant are entitled to admission in the same immigrant category (Green Card). Included in this category is the spouse of the visa holder, as well as minor unmarried children under the age of 21.

1. U.S.A. EB-3 Immigrant Visa Application Package Fees

Our fees for handling the application package for EB-3 visa to enable the foreigner to work in the United States and later adjust his/her status is USD15,600. An additional USD2,500 and USD1,500 will be charged for each adult and child dependent visa, respectively. The fees are broken down in 3 stages below:

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EB-3	Service, Administration, Legal (+ Filing and other Fees)
1) PERM Labor Certificate	- USD8,500 (Upfront) - USD200 expenses (Upfront) - Advertising costs (TBD). Note: monster.com recruitment post pricing for one-off hiring: USD249/month (as of December 2021)
	<i>Where applicable:</i> - USD1,500 fee for standard audit (recruitment related only); or - USD2,500 for complex audit (more than recruitment)
	<i>Employer is responsible for all costs relating to PERM</i>
	STAGE-1 FEE TOTAL: USD8,700
2) Immigrant Petition (Green Card) I-140	- USD4,000 - USD200 expenses - USD700 filing fee (not included)
	<i>Optional: USD2,500 USCIS expedited processing fee</i>
STAGE-2 FEE TOTAL: USD4,200	
3) Adjustment of Status (AOS) I-485	- USD2,500/adult - USD1,500/child - USD200 expenses
	<i>Apply in U.S.:</i> - Filing fee of \$1,225 per person (e.g., spouse/child) (not included)
	<i>Apply from abroad:</i> - Filing fee \$345 + \$220 green card fee per person (e.g., spouse/child) (not included)
STAGE-3 FEE TOTAL (1 adult): USD2,700	
TOTAL PACKAGE PRICE= USD15,600	

In particular, our fees cover the following services:

- (1) Continuous advice regarding the application for EB-3 visa in the United States;
- (2) Assistance with gathering and preparation of the required documents;
- (3) Review of application documents prepared by applicant(s) and employing company;
- (4) Drafting of authorization letter(s) and application form(s);
- (5) Assistance with obtaining the Prevailing Wage Determination (PWD);
- (6) Filing of PERM application;
- (7) Assistance with recruitment exercise and preparation of related documents;
- (8) Respond to audits, if any (supplementary fees apply);
- (9) Submission of immigration petition package to the USCIS and relevant U.S. government agencies;
- (10) Legal representation for the purpose of the EB-3 visa application;
- (11) Liaison with the USCIS and U.S. government agencies regarding the application;
- (12) Respond to Request For Evidence from the USCIS, if any (supplementary fees may apply);
- (13) Regular reporting of application status to the client;

- (14) Preparation of client for the Interview at the U.S. Embassy or Consulate.

Note:

- (1) The fees quoted above exclude the government fees. The government filing fees can increase at any time without prior notice. Furthermore, if the application profile contains any red flags, including but not limited to immigration violations (including prior misrepresentation), criminal history, drug usage, etc., the fees for the Adjustment of Status (AOS) may increase.
- (2) Premium processing service is available for an extra fee of USD2,500 (15 calendar days processing time on USCIS' end).
- (3) The fees stated exclude delivery charges, if any.
- (4) The fees stated exclude document translation fee. Please contact us for a quotation if document translation services are needed.
- (5) Medical examination and mandatory vaccinations fees are excluded.

2. Payment Term and Method

Upon receipt of confirmation of engagement, we will issue an invoice and email it together with detailed wire instructions to you. Due to the nature of services, we require full payment of the Stage-1 Fee in advance. Upon issuance of the PERM Labor Certificate, the Stage-2 and Stage-3 Fees become payable. At each stage, once service is commenced, no service fees will be refunded.

We currently only accept check, cash or TT and credit card payment through PayPal. If invoice is settled by PayPal, an extra 5% service fee will be charged. If Taiwan uniform invoice is required, a Business Tax at 5% of the invoiced amount will be charged and collected.

3. Eligibility Criteria

Prospective U.S. employer

- (1) Obtain a Prevailing Wage Determination (PWD);
- (2) Apply for Program Electronic Review Management (PERM);
- (3) Proof of its ability to pay the foreign worker's salary and that the foreign worker qualifies for the intended position.

Visa Beneficiary

- (1) There are 3 sub-groups within this category and the applicant must be eligible under one of the following groups:
 - (a) Skilled workers:
 - Workers capable of performing a job requiring a minimum of 2 years training or work experience that are not temporary or seasonal;
 - (b) Professionals:
 - Professionals with bachelor's degree in their field;

- Working experience is not necessary;
- (c) Unskilled workers (other workers):
 - Persons capable of filling positions that require less than 2 years training or experience that are not temporary or seasonal;
- (2) The applicant must have an approved Immigrant Petition for Alien Worker filed by the prospective employer;
- (3) The applicant generally requires a Labour Certification approved by the Department of Labour.

The above-mentioned eligibility criteria may be subject to change from time to time by the USCIS without prior notice. Please consult with Kaizen Consultants for more information.

4. Application Procedures and Timeline

The EB-3 visa application is comprised of 3 stages, as follows.

Stage 1: PERM Labour Certification

The first step is to obtain the Prevailing Wage Determination (PWD)¹ from National Prevailing Wage Centre (NPWC), which takes approximately 5 months before the filing of the PERM². To be considered for an immigrant visa under the EB-3 category, the prospective employer or agent must then obtain a labour certification approval from the Department of Labour. **The employer is responsible for all costs relating to the PERM.**

As the PERM takes 5-7 months to process, **Stage-1 takes approximately 1 year in total.**

Stage 2: Filing an Immigrant Petition

Once the PERM is certified, the prospective employer then files an Immigrant Petition (known as the “green card application”). This step takes between **8-10 months** to process via regular processing.

Stage 3: Consular Processing

After USCIS approves the petition, it is sent to the National Visa Centre (NVC). Once the visa bulletin is “current” for the foreign worker’s “priority date”, then the NVC will contact the foreign worker to schedule an immigrant green card interview, if consular processing was chosen. This typically takes **3 to 5 months (but highly dependent on policy changes)** after Stage 2 is approved.

¹ To demonstrate that the alien worker will not be displacing a U.S. worker in the job offered, etc., the employer will need to test the labor market by conducting a bona fide recruitment for the position offered.

² The labour certification is a prerequisite to obtaining permanent residence through an employer. Certifications are issued under an expedited system entitled “Program Electronic Review Management,” or “PERM”.

After a successful interview, the foreign worker will receive the I-551 Immigrant Visa stamp. It will normally be valid for 10 years and is renewable.

The whole EB-3 application process takes **between 24 to 28 months** (subject to change without prior notice by the USCIS). The table below shows the estimated time frame for each of the steps:

Step	Procedure	Responsible Party	Working Days (estimated)
1	Interview with our immigration consultant.	Client	Client's Schedule
2	Signature of retainer agreement and payment of retainer fee.	Client	Client's Schedule
3	Complete questionnaire and prepare the documents specified in the checklist.	Client	Client's Schedule
4	Stage 1: Obtain the Prevailing Wage Determination (PWD)	Prospective employer & Attorney	5-6 months
5	Recruitment activities	Prospective employer	Prospective employer's Schedule
6	Filing for and obtaining the PERM (labor certificate)	Prospective employer & Attorney	5-7 months ⁽¹⁾
7	Upon receipt of the aforesaid documents, our firm will prepare the immigration filing package.	Kaizen	14 Days
8	Sign back immigration forms and letters to our firm.	Client	Client's Schedule
9	Submission of petition package to the USCIS.	Kaizen	3-5 Day
10	Stage 2: File Immigrant Petition (Form I-140)	Prospective employer & USCIS	Regular processing: 8-10 months Premium processing: 15 business days
11	Receive response from USCIS. If the case is approved, the case will be forwarded to National Visa Centre and we will prepare the visa application and schedule interview appointment. If USCIS requests further evidence, we will prepare for the response.	Kaizen	RFE Response: 14 Days
12	Prepare client for visa interview.	Kaizen	1 Day
13	Stage 3: Consular Processing	Applicant, NVC, U.S. Consular, USCIS	3-5 months
14	Obtain the I-551 Immigrant Visa stamp and travel to U.S. to assume position.	Client	Client's Schedule
Total Working Days			24-28 Months ⁽²⁾

Note:

- (1) Please note that the estimated timeline does not consider a PERM audit. Any case may be subject to a random audit, which could increase the processing time by a few months. If there are little tailor-made requirements, or the file requires no foreign language, the likelihood of an audit is lower.
- (2) The estimated time is based on high cooperation between the client and Kaizen, and does not include delays caused by the relevant government agencies.

5. Required Documents and Information

Document Prepared by the Employer

- (1) Most recent corporate federal tax return (including all schedules)
- (2) Articles of Incorporation
- (3) IRS letter confirming FEIN (147C Letter)
- (4) Copy of worker's most recent W-2 with same employer (if currently employed there)
- (5) Worker's updated one page resume (with exact dates of past employment)

Document Prepared by the Applicant

- (1) Passport(s) valid for six months beyond the intended date of entry into the United States
- (2) Two (2) 2x2 photographs
- (3) Civil Documents for the applicant (e.g. birth and marriage certificates) [*Note (1)]
- (4) Financial Support
- (5) Labour certification (if applicable)
- (6) Updated one page resume (with exact dates of past employment)
- (7) Copies of Educational credentials (e.g. copies of school records including periods of attendance, major field of study and degrees and honors awarded, degree evaluations from a credentials evaluation service, etc.)
- (8) Supporting documentation of applicant's training or work experience (e.g. detailing affidavits by the trainers or employers, including the date, place and description of the duties performed by the workers, etc.)
- (9) Supporting documentations that the beneficiary meets the job requirements
- (10) Supporting documentation regarding applicant's ability to pay
- (11) Completed Medical Examination Forms
- (12) Marriage termination documentation of EACH prior marriage, e.g. final divorce decree, death certificate, annulment papers, etc. (if applicable)
- (13) Court and Prison Records (if applicable)
- (14) Deportation documentation if you have been previously deported or removed from the U.S. at government expense (if applicable)
- (15) Military Records (if applicable) ([check here](#))
- (16) Financial Support to show that you will not become a public charge in the U.S.
- (17) Police Certificate obtained from the local police authority.

Document prepared by the Dependents

- (1) Passport Biological Page;
- (2) Documents to Establish Relationship with the Beneficiary (Notarial Birth Certificate and Marriage Certificate);
- (3) Police Certificates (for each applicant aged 16 or older);
- (4) Adoption Documentation (if applicable).

Notes:

- (1) All required documents must be in English or accompanied by a certified translation into English.
- (2) Legible photocopies and the original civil documents, and any required translations are required at the time of the immigrant visa interview.
- (3) USCIS reserves the right to demand further documents from the applicant or employing company as and when necessary.

If you need any assistance or wish to obtain more information, please browse our official website at www.kaizenvis.com or contact us through the following means:

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