PERM Labor Certification Program Updates

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Office of Foreign Labor Certification
Atlanta National Processing Center
Employment and Training Administration
United States Department of Labor
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Section I

PERM Online System Updates
✓ External Users can now upload attachments to their Help Desk inquiry in the PERM Online System.
  ✓ If applicable, attachments will be included in the Department of Labor (DOL) response to inquiries submitted via the PERM Online System.
✓ Filers who are subject to Supervised Recruitment will begin to receive notifications from the system.
  ✓ Users are strongly encouraged to upload responses.
  ✓ Users can still respond to SR.Processing@dol.gov email.
✓ Filers can now modify the contact information for the employer and the attorney/agent on the 9089 in the PERM Online system under my applications.
Future PERM Online System Enhancement Considerations:
✓ Updates to the drop-down questions for the Help Desk Inquiry function.
✓ External users may have access to notification letters in the PERM Online System.
✓ External users may have expanded view of cases “In Process” status, to include Audit Review, Sponsorship, Final Review, Supervised Recruitment and Appeals.
✓ Purging records based on the DOL five-year retention policy, including incomplete applications.
Known Issues:
✓ Delays in Sponsorship email for college/university teachers (656.18) cases.
  ✓ Currently a 24 hour delay.

Case Processing:
✓ Working to reduce the overall queue in Quarter 3 and 4 of Fiscal Year 2019.
✓ Applications audited for layoffs will contain new language consistent with the layoff Frequently Asked Question posted in 2014.
Section II

Audit Review Reminders
When responding to an Audit Notification or Request for Information (RFI), make sure to upload your response in the PERM Online System.

- Respond to all the questions.
- Do not “reply” to emails from PLC.Help@dol.gov.
  - PLC.Help@dol.gov is the technical help desk.
- Sending your audit response or response to the RFI to PLC.Help@dol.gov will delay the processing of your case or it may result in a denial for failure to respond.
- Make sure newspaper ads are legible in order to avoid delays in processing.
✓ Ask for extensions in a timely manner; prior to the response deadline.
✓ When asking for an extension, indicate the reason for the extension and a proposed due date.
✓ If the audit/RFI letter asks for information that is not applicable, respond to the audit/RFI and state why it is not applicable in the cover letter.

Audit Review is seeing a rising trend in applications that are not compliant with regard to the Notice of Filing and the requirements under 20 CFR § 656.10 and 656.17(f).
Section III

Appeals Reminders
✓ Submit Appeal requests via the upload function in the PERM Online System.
✓ Appeals requests are processed based on the date the appeal was received.
✓ Please check the PERM Online System to verify the status (Certified/Denied/Withdrawn/Appeal) of your application.
  ✓ If the application is in denied status and you have not received a denial letter within two weeks, please send a Help Desk Inquiry via the PERM Online System.
✓ Appeal requests must be submitted no later than 30 days from the date on the denial letter.
✓ Do not “reply” to PLC.Help@dol.gov.
✓ This email address is for technical issues only.
✓ When filing an application via mail, please make sure to indicate the date(s) in the mm/dd/yyyy format as per the instructions.
✓ Notice of Decision (NOD) is the final decision of the Certifying Officer.
✓ You must respond to the NOD within 30 days or your case will be administratively withdrawn from Appeal status.
✓ A withdrawn Appeal will show the status as “Denied”.
✓ Your response to the NOD must clearly state if you want the application to continue to the Board of Alien Labor Certification Appeals (BALCA).
✓ Please respond promptly to all RFIs.
✓ Untimely responses or failure to respond may result in an adverse decision.
✓ You must withdraw your Appeal prior to filing a new application that addresses the original application’s denial issues.
  ✓ The new application will not have the original application’s priority date.
✓ If a BALCA decision has been issued for your application that is in Appeals status, please submit a Help Desk Inquiry with the attached BALCA decision in the PERM Online System.
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