

H-1B and Permanent Foreign Labor Certification (PERM)

www.foreignlaborcert.doleta.gov

Analysis

- The number of H-1B applications processed within seven business days decreased 11 percentage points from the same period a year ago. The decrease in this measure over the year is the result of expanding data integrity activities, which continue to identify applications with errors or duplicates.
- The number of PERM applications resolved within six months of filing declined by 81 percentage points. In the past eight quarters, the number of PERM applications identified for audit grew rapidly, resulting in a commensurate decrease in the number of applications.

Note: The Office of Foreign Labor Certification has developed an enhanced performance measure and a new integrity measure for PERM. OFLC will begin reporting these measures in FY 2010.

Program Performance

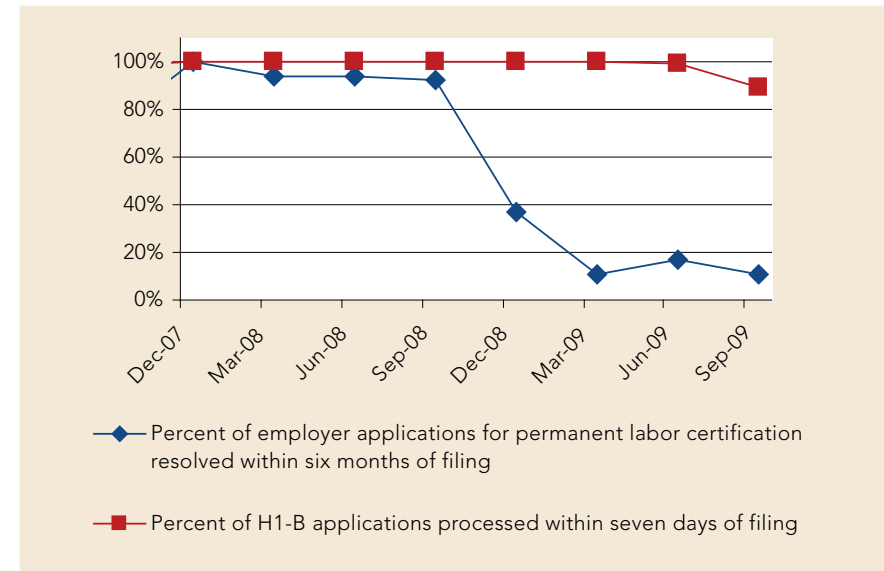
Performance Measures	Four Quarters Ending 9/30/08 ¹	Four Quarters Ending 9/30/09 ¹
Percent of H1-B Applications Processed within Seven Days of Filing	100%	89%
Percent of Employer Applications for Permanent Labor Certification Resolved within Six Months of Filing	92%	11%

¹ Cumulative four quarters

Program Description

H-1B certification permits employers to hire, on a temporary basis, foreign workers who possess qualifying professional or specialty skills that are not available in sufficient supply in the U.S. workforce. PERM allows employers to permanently hire foreign workers when there are not sufficient numbers of U.S. workers who are able, willing, qualified, and available to perform the job. In addition, the program ensures that the employment of the foreign worker does not adversely affect the wages and working conditions of American workers who are similarly employed.

Performance in the Past Eight Quarters



Program Highlights

The Office of Management and Budget has approved revised PERM and H-1B forms, and electronic programs have been developed for enhanced Web-based submission using a new Foreign Labor portal system. The new H-1B component was launched on April 15, 2009.