

Permanent residency petition process costs:

1. Step one, Labor Certification

Part A. Recruitment

- When the normal recruitment process is used for an employee, the labor certification must be filed within 180 days of placing the first recruitment ad. If not, a second recruitment search is required.
- When the “special handling” recruitment process is used for a professor, the labor certification must be filed within 18 months of the “selection date” i.e., date of the original employment offer letter. If not, a second search is required.*
- **The Labor Certification is not required** for employees who are eligible for, and are pursuing a National Interest Waiver (NIW) or an EB-1 petition (for outstanding professors and researchers or who have extraordinary ability in the sciences, arts, education, business or athletics),

Part B. Filing the Labor Certification

- Legal fees for Labor Certification with Challa Law are \$2,000.
- There are no USCIS processing fees.

The employer **MUST** pay all costs associated with the Labor Certification stage of the process including the advertising and recruitment costs. These are the **ONLY** costs that the University must pay during the permanent residency process.

2. Step two, I-140 “Immigrant Petition for Alien Worker”

- Legal fees for I-140 (for Labor Cert process) with Challa Law are \$1,500
- Legal fees for I-140 (for NIW or EB-1 processes) with Challa Law are \$4,500
- I-140 processing fee of \$475 due in check form made out to “U.S. Citizenship and Immigration Services.”

3. Step three, I-485 “Application to Register Permanent Residency or Adjustment of Status”

- Legal fees for I-485 (for Labor Cert., NIW or EB-1 process) with Challa Law are \$1,500
- I-485 processing fee of \$930 due in check form made out to “U.S. Citizenship and Immigration Services” plus a biometrics fee of \$80 when the biometrics appointment is made.

There is no federal regulation ruling who must pay these fees. Therefore, the employer OR employee can pay the fees for steps two and three.

*“Special handling” can only be used for full-time university teaching positions. Special handling is not an option for classified staff, research positions without instructional duties or administrative and professional faculty positions. Special handling requires a job posting in a national journal (e.g., Chronicle of Higher Learning) and any other recruitment steps that you usually use to recruit a professor (e.g., posting on the VCU website, etc).