

NYIS LAW FIRM

EB2/3
GUIDE



NYIS Law Firm

INTRODUCTION

NYIS Law Firm practices in the fields of litigation, investment, commerce and trade, intellectual property, and immigration. Charles Maurer, the managing attorney, is rated AV by Martindale Hubbell for 39 consecutive years. The AV rating signifies that the rated attorney is recognized for the highest levels of skill and integrity and has reached the heights of professional excellence.

Mr. Maurer was awarded the lifetime honor of Best Attorneys in America in 2015. NYIS Law Firm was awarded the lifetime honor of Best Law Firms in America in 2016. Our clients include Fortune 500 companies, China's large-size nation-owned companies, international tier-one artists, well-known directors/singers/athletes, U.S. billionaires, Asian billionaires, international students in the U.S., and start-ups in the U.S., etc.

In immigration area, we are experienced and expert in all kinds of immigrant applications (such as employment-based immigration, investment-based immigration, extraordinary ability immigration, multinational manager or executive immigration, family-based immigration, and marriage-based immigration, etc.) and also non-immigrant applications (such as H-1B visa, L-1 visa, O-1 visa, P-1 visa, TN visa, F-1 visa, B-1/2 visa, etc.). We are located in New York, New Jersey, California, and Beijing, China, and our clients come from all over the world.



EB-2

Employment-Based Immigration

You may be eligible for an employment-based, second preference visa if you hold an advanced degree or its equivalent, or if you are deemed to be a professional, as outlined below.

Education Requirement – Advanced Degree or Its Equivalent:

- A U.S. advanced degree (master's degree or above) or a foreign equivalent degree, **OR**
- A U.S. baccalaureate degree or a foreign equivalent degree, and at least 5 years of progressive post-baccalaureate work experience in the specialty.

Family of EB-2 Beneficiary

Your spouse and children under the age of 21 may be admitted to the United States with E-21 and E-22 immigrant status, respectively. During the process in which you and your spouse are applying for permanent resident status (status as a green card holder), your spouse is eligible to file for an Employment Authorization Document (EAD).

General Evidence to Establish Beneficiary's Eligibility:

- Degree Diploma.
- Foreign Degree Equivalency Report (if degree was obtained abroad).
- Other official academic records, such as transcripts.
- Letters from current or former employers showing post-baccalaureate work experience (if needed).

EB-3

Employment-Based Immigration

You may be eligible for this immigrant visa preference category as a professional. “Professionals” are persons whose job requires at least a U.S. baccalaureate degree or a foreign equivalent and the criteria outlined below.

Education Requirement – Baccalaureate Degree or Its Equivalent:

- A U.S. baccalaureate degree or a foreign equivalent degree.

Note: Education and experience may not be substituted for a baccalaureate degree.



General Evidence to Establish Beneficiary’s Eligibility:

- Degree Diploma.
- Foreign Degree Equivalency Report (if degree was obtained abroad).
- Other official academic records, such as transcripts.
- Proof that a baccalaureate degree is the normal requirement for entry into the occupation.
- Proof that Beneficiary will be performing work for which qualified workers are not available in the U.S.

Family of EB-3 Beneficiary

Your spouse may be admitted to the United States with E34 (spouse of a “professional”) status. While you and your spouse are applying for permanent resident status (status as a green card holder), your spouse is eligible to file for an Employment Authorization Document (EAD). Your children (under the age of 21) may be admitted as E35 (as children of a “professional”).

Application Process

1. Sign Retainer with NYIS Law Firm.

2. First Payment Due.

3. Initial Contact with Client.

4. Assist Client in Preparation of Required Information and Documentation.

5. Collection of Required Information and Documentation.

6. Submit Prevailing Wage Determination to Department of Labor.

* ETA Form 9141, Application for Prevailing Wage Determination.

7. Second Payment Due.

8. Recruitment Process Pursuant to Department of Labor Requirements.

* More than three methods of recruitment/advertisement required.

9. Submit Permanent Labor Certification ("PERM") to Department of Labor.

* ETA 9089, Application for Permanent Employment Certification

10. Third Payment Due.

11. Submit I-140: Immigrant Petition for Alien Worker, to U.S. Citizenship and Immigration Services.

* Must be submitted within 180 days after approval of PERM.

* U.S. Citizenship and Immigration Services Premium Processing Service is available..

12. Visa Availability Waiting Period.

* Depending on the Beneficiary's country of birth.

13. Fourth Payment Due.

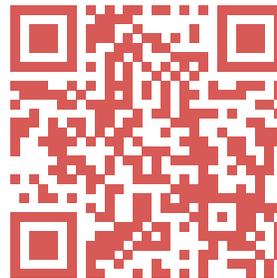
14. Submit I-485: Application to Register Permanent Residence or Adjust Status, to U.S. Citizenship and Immigration Services, or Apply for Immigrant Visa at Foreign U.S. Consulate.

15. Obtain U.S. Permanent Residency ("Green Card").

Contacts

Call Us: 800-685-NYIS(6947)

Wechat Service Account: asknyis7



Scan the QR code to
add our WeChat service account.