



USA

EB-3



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ABOUT EB-3 VISA

EB-3 is also known as the Employment-Based Third Preference and this immigrant visa is for individuals who want permanent residence in the United States. If you are a professional worker, skilled worker or an unskilled worker then you are eligible for this visa category.

It should be noted that these categories require employer sponsorship and certification by the Department of Labor before the visa petition can be filed.



COUNTRY PROFILE

- Capital: Washington, D.C.
- Population: 335 million
- Area: 9.8 million sq km (3.8 million sq miles)
- Major language: English
- Life expectancy: 74 (men) 80 (women)
- Currency: USD
- Exchange Rate (as of May 2024): 1 AED = 3.678 USD



EB-3 SUB-CATEGORIES

PROFESSIONAL WORKERS

Professional workers are individuals who are members of the professions and their job requires a U.S. bachelor's degree or an equivalent foreign degree.

SKILLED WORKERS

Skilled Workers are individuals whose job requires at least 2 years of experience, training, and education. Its nature should not be temporary or seasonal and it should be a full-time job. They must meet the job requirements in terms of their education, experience, and training level.

OTHER WORKERS (UNSKILLED WORKERS)

This category includes those positions that require less than two years of training or experience and involves non-temporary, unskilled labor.

EB-3 ADVANTAGES

- You will receive permanent residency in the United States (U.S. Green Card)
- Your spouse and unmarried children under the age of 21 can receive permanent residency with you.
- Your derivative family members have permission to work and study in the United States
- EB-3 Visa requirements are less strict than any other permanent immigrant visa. Thus, your chances of being eligible are higher
- Premium processing is available for the EB-3 Visa category



ELIGIBILITY CRITERIA

GENERAL REQUIREMENTS

Job Offer: All EB-3 applicants must have a valid job offer from a U.S. employer who will also sponsor the visa and file the necessary petitions

Labor Certification: A PERM Labor Certification must be approved, ensuring that hiring the foreign worker will not adversely affect the wages and working conditions of similarly employed U.S. workers.

CATEGORY-SPECIFIC REQUIREMENTS

Professionals Workers: Must document the possession of a U.S. baccalaureate degree or its foreign equivalent.

Skilled Workers: Must prove that the job requires a minimum of two years of training or experience.

Skilled Workers: Must demonstrate capability for performing unskilled labor that is non-temporary.

Application Process

Step-by-Step Overview

Step 1

PERM Labor Certification:

- The employer starts the process by filing a prevailing wage determination (PWD) with the Department of Labor (DOL).
- Following the PWD, the employer undertakes recruitment to test the labor market.
- The employer then files the PERM application with the DOL, detailing the recruitment results and proving the unavailability of willing, qualified, and able U.S. workers.

Step 2

Form I-140, Immigrant Petition for Alien Worker:

- Upon approval of the Labor Certification, the employer files the I-140 petition with USCIS.
- This petition must include proof of the worker's qualifications and the approved Labor Certification.

Step 3

Visa Application and Adjustment of Status:

- If outside the U.S., the applicant will undergo consular processing.
- If in the U.S., the applicant can file for adjustment of status to permanent resident (Form I-485) when a visa number becomes available.

Processing Times

Step 1

Labor Certification:

- Can take from 6 to 18 months depending on the complexity of the job offer and labor market conditions.

Step 2

I-140 Petition:

- Typically processes within 6 months, though premium processing can expedite this to 15 calendar days for an additional fee.

Step 3

Consular Processing/Adjustment of Status:

- Timing varies based on visa availability, with some applicants waiting more than others.