

EMPLOYMENT BASED VISAS

Our team is dedicated to the practice of all aspects of U.S. immigration law, with a focus on business-related and employment-based US immigration law.

We can assist you in obtaining the following:

- EB-1(a) (Alien of Extraordinary Ability)
- EB-1(b) (Outstanding Professors/Researchers)
- EB-1(c) (Multinational Manager or Executive)
- PERM Labor Certification
- EB-2 Based on PERM (Advanced Degree/Exceptional Ability)
- EB-3 Based on PERM (Professionals, skilled workers and other workers)
- EB-4 (Special Immigrant & Religious Workers)
- EB-5 (Investor Visa)



EB-1 CATEGORY - PRIORITY WORKERS

1. Persons of extraordinary ability - Workers of Extraordinary Ability are defined by statute as those who have extraordinary ability in the sciences, arts, education, business, or athletics, which has been demonstrated by sustained national or international acclaim, and whose achievements have been recognized in the field through extensive documentation.
2. Outstanding Professors and Researchers - Professors or researchers who are internationally recognized as outstanding in a specific academic field, have a minimum of 3 years experience in teaching and/or research in that field, and enter the United States in a tenure or tenure-track teaching or research position at a university or similar institution.
3. Multinational Executives and Managers - A foreign worker who has been employed at least one out of the past three years with the same or related company in a managerial or executive position. This person must be coming to work in the US as an executive or in a managerial capacity. The US employer must have been doing business in the US for at least one year.

There are stringent requirements to qualify for each of the above the EB-1 categories. However, there are significant advantages if you qualify under EB-1. There is no requirement for a job offer or a labor certification (a lengthy and somewhat speculative process). The case can proceed much more quickly than other employment-based applications.

We will assess your qualifications, experience and documentation available to determine whether the EB-1 will be the right category to file for you.

EB-2 CATEGORY - ADVANCED DEGREE PROFESSIONALS OR INDIVIDUALS OF EXCEPTIONAL ABILITY IN SCIENCES, ART OR BUSINESS

1. Members of Professions Holding Advanced Degrees - a US employer can petition to hire a foreign person for a position which requires a degree beyond a bachelor's degree. As an alternative, a bachelor's degree plus five years progressive experience in the same field can serve as the equivalent of a master's degree.
2. Workers of Exceptional Ability - must demonstrate a degree of expertise significantly above the ordinary.

Our staff are experienced in handling the labor certification process which is generally required under the EB-2 category and we will assist you and the employer through each step of the process. Further, there are certain exceptions to the general rule and we will assess your case and qualifications to determine the best means of proceeding.

EB-3 CATEGORY - SKILLED WORKERS, PROFESSIONALS AND OTHER WORKERS

1. Skilled workers - who must show at least two years of experience in the specific field.
2. Professionals - who must have a baccalaureate degree (required for the job and for the foreign person).
3. Other Workers may qualify for a job which requires less than two years experience in the field. (Please note that this category normally has longer waiting times for visas to become available.)

Again, similar to EB-2s, this immigrant visa category generally requires obtaining a Labor Certification and approval (a finding that there are not sufficient US workers who are able, willing, qualified and available for the position being offered) prior to filing for Permanent Residence Status. Our experienced staff will assist you and the employer in each step of the process.

EB-5 CATEGORY - INVESTMENT BASED IMMIGRATION

The EB-5 Immigration Investment Program is available to individuals and their families who have are ready to invest in a "new" business enterprise with \$500,000 or \$1,000,000, depending on the investment program and it's location.

The benefits of this category are that the process is less stringent and faster than other visa categories and presently there is no backlog in processing these cases. The investor's spouse and children under the age of 21 years old also qualify and can receive permanent residence status through the same petition.

Our team of experts and colleagues will assist you in evaluating the investment program you are considering, follow through with the investment and complete the process to permanent residence for you and your family.

If you cannot find what you are looking for, please contact us at (949) 232-0355 or by email info@boutalebblaw.com