



U.S. Department of Labor

News Release

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U.S. Department of Labor initiates supervised recruitment of permanent labor certification applications filed by immigration law firm

Department acts to protect employment opportunities for American workers

WASHINGTON — The U.S. Department of Labor today announced that it has begun placing pending permanent labor certification applications filed by the Cohen & Grigsby law firm into department-supervised recruitment. Supervised recruitment requires the employer to receive advance approval from the department for all recruitment efforts to ensure that U.S. workers are fully considered for available positions.

The department may institute supervised recruitment when, among other reasons, it has concerns that an employer, attorney or agent may not have complied with department regulations or properly recruited or considered U.S. workers for available positions.

"Supervised recruitment is one of many tools the department uses to safeguard the integrity of the permanent labor certification process and protect job opportunities for American workers," said Solicitor of Labor Gregory F. Jacob. "The department takes seriously its statutory responsibility to ensure that American workers have access to jobs they are qualified and willing to do."

Last year, the department began auditing applications filed by Cohen & Grigsby as a result of information indicating the firm may have improperly advised its clients regarding the recruitment of U.S. workers. Because of concerns identified in the audits, the department is requiring supervised recruitment for certain applications filed by Cohen & Grigsby.

Today's announcement reflects the department's ongoing enforcement of its statutory responsibility to ensure that U.S. workers are fairly considered for all permanent labor certification openings. The Immigration and Nationality Act requires the secretary of labor to certify that there are not sufficient U.S. workers who are able, willing, qualified and available for an open position prior to an alien being permanently admitted to the country to fill it. The department's regulations require employers to "test" the labor market for U.S. workers in a manner that is open, fair and not biased toward foreign workers, including temporary foreign workers already employed by the employer seeking the permanent labor certification.

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