Prevailing Wages: Science or Art?

Susan MacLean (DL), Chicago, IL
Janet Henner, New York, NY

© 2012 American Immigration Lawyers Association

Preparing to Submit- The 'Science'

- Title & OES Codes - using O*Net
- Multiple Codes - how to decide
- Duties – client description vs. OES/O*Net

© 2012 American Immigration Lawyers Association

Preparing to Submit - The 'Art'

- Duties - & O*Net – merging with client's description
- Prevailing Wage OWL Level -NPWHC
  - Infonet Doc # 10010468
  - Requirements - impact on wage level
  - Travel or other special items

© 2012 American Immigration Lawyers Association

Preparing to Submit
The Art & Science of Private Surveys

- Alternative Wage Source - Private Surveys
  - Private Survey Criteria - getting the right one
  - Pros & Cons
    - Cross-industry restriction
    - Similar job family?
    - Extra costs and time – how much do you handle?

© 2012 American Immigration Lawyers Association

Submit to DOL-
Science All the Way?

- Submission dos and don'ts
- How to use the form to convey additonal information
- Private survey documentation

© 2012 American Immigration Lawyers Association

PW Determination
When your "Art" is panned by the 'critics'

- What do you do when you get a "surprise" from DOL
- Redetermination/Resubmission
- Managing client expectations

© 2012 American Immigration Lawyers Association

Strategies & Considerations

How to Make Your ART More Acceptable to the 'Critics'

- Alternative requirements -
- No wage available (rural areas, odd jobs)
- Can you submit too many requests?
- Use the tools available: AILA, DOL, others?

© 2012 American Immigration Lawyers Association

Questions & Answers

© 2012 American Immigration Lawyers Association

Special Thanks to the AILA Annual Conference WiFi Sponsors

rapid USA Visas

EB5 Vermont

© 2012 American Immigration Lawyers Association