

LEGAL RIGHTS



By Atty. Johnson Lazaro

YOU have heard the good news. After two years of retrogression, work visas are now current. This means that for the majority of professionals and skilled workers, now is the time to file applications to obtain lawful residence based on employment. The waiting time is short at the moment. There is no time to lose. Government planners are predicting that work visas may again retrogress within a few months. It's time to file.

Since late 2005, foreign workers in line for a green card had to wait years to get their application adjudicated. The backlog has been frustrating for many who are qualified to work in the U.S. There are jobs available and employees hungry for work, but no visas. This crisis caused some parts of the economy to stall. The good news is visa issuance is flowing normally again. But the government is warning that this is temporary.

The U.S. immigration system has five employment-based (EB) immigrant visa categories that allow up to 140,000 people a year obtain permanent residence (also known as "green cards") in the United States through their work or skills. To start, you'll need an employer to sponsor you as a foreign employee. It's

Get Work Visa Now Before It's Too Late

not that hard finding an employer. Don't be discouraged just because you're competing with American job-hunters. Many employers are familiar with the process of hiring foreign nationals. However, the potential employer may have questions on how to proceed. In this case you may want your immigration lawyer to contact the employer to answer his or her questions.

When you talk to an immigration lawyer about employment-based immigration, you're going to hear legal terms like PERM, specialty occupation, skilled vs. unskilled labor, adjustment, and so on. Don't be intimidated. The basic principle of immigration through work is simple but the procedures could be complicated. Understand that the U.S. Department of Labor (DOL) wants employer to first test the U.S. market for qualified American workers before the foreign employee can be qualified to work. This is the basic principle of PERM which stands for Program Electronic Review Management. This is when recruitment would be necessary.

The next steps after PERM will be filing the proper documentations with Immigration to receive your "green card." This process is commonly referred to as visa petitions and adjustment of status. Although you may be able to do this on your own, be warned that the

process, as mentioned, can be burdensome and tedious. A mistake can cause you your future in working in the U.S. Immigration will scrutinize all documents filed and will contact you by mail if anything is missing or incomplete. A word to the wise – consult with an attorney.

Generally, once your work visa petition is approved, your spouse and children under 21 will be included. You should get a work permit within a few weeks and then your lawful permanent resident card arrives within a few months. You have to act fast. Immigration experts are predicting that visas will again retrogress before the end of this year. Right now is the best time to grab your place under the sun and declare that you're in and get that work visa.

Atty. Johnson Lazaro represents immigrants in all Federal Courts in the United States. Lazaro and Associates specializes in difficult immigration cases as well as business immigration and family visa petitions. The firm's offices are located in San Francisco and Fremont/Newark/Union City in California, and Makati City (Philippines), with tel. no. (415) 278-9577, e-mail at Law@LazaroLaw.com, and website at www.LazaroLaw.com. This article should not be taken as legal advice for any individual case or situation. The information is intended to be general and should not be relied upon for any specific situation. This is not meant to create a lawyer-client relationship.

(Advertising Supplement)

Farmers Try Their Hand at Teaching

FILIPINO farmers are not mere tillers of land with carabaos and ploughs in tow.

They can also be adept at selling rice and teaching fellow farmers.

The National Food Authority (NEA) through its Insti-

farmers said they decided to become teachers after winning the best farmer-led extension activity initiated by PhilRice during the 5th Palayamanan Farmers' Congress.

The farmer-teachers of Currimao added that "teaching

any farmer can observe the difference between traditional and recommended farming practices," they said.

Their testimonies have also become benchmarks in the high adoption rate of PhilRice-developed technologies