



Three-Part Telephone & E-mail Seminar:

PERM For Beginners

Speakers: Sofia Zneimer, Ellen Freeman, Sameer Khedekar, Alan Lee, Cora-Ann V. Pestaina and Bob Webber

Registration Deadline: Tuesday, March 17, 2009 11:59pm

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Seminar Outline

FIRST Phone Session on January 21: Understanding the PERM Process

- Statutory background and agencies involved
- Who is the client and payment of fees
- Purpose of the PERM process - willing, able, qualified, and available
- Timing of the process - counting the days and periods
- Considerations - alien ownership and control, ability to pay, layoffs, internal and external consistency, job zones, SVP, combination of duties, educational requirements, restrictive requirements, job requirements for current status of alien, internal and external consistency
- SVP, Job Zones, and what is normal
- Business necessity issues
- Job description and minimal requirements
- Filing options for form ETA 9089
- Document Retention requirements

SECOND Phone Session on February 18: Preparation of the PERM Application

- Employer registration and attorney sub-account
- Prevailing Wage
- Recruitment Plan
- Job Order
- Mandatory Printed Ads - elements, placement, considerations
- Additional steps for professional jobs - what is a professional job anyway?
- Recruitment Report - elements and considerations
- Qualified US workers
- Audit preparedness
- Discussion of best practices to manage the process
- Schedule A and Special Handling

THIRD Phone Session on March 18: PERM Sticky Issues

- Prevailing Wage issues - private wage survey, wrong classification, wrong salary, and other wrongs
- Notice issues
- Roving employees and layoffs
- Occupation, Job Zones, and SVP, and OES changes
- Business Necessity and Normal Requirements - Magic Language
- On the job training
- Typos and other errors in submitted and approved labor certifications
- Attorney-Client relationship in PERM applications
- Attorney consideration of applicants - do's and don'ts
- Reconsideration and Appeal
- Summary of best practices

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About the Speakers

Sofia Zneimer (Discussion Leader) practices in the area of business immigration and litigation and has represented multi-national corporations, individual investors, hospitals, non-profit organizations and business entities before the Department of Homeland Security, the Department of Labor, the Department of Justice, and the State Department. She also litigates before the Illinois courts and the Northern District of Illinois. Before joining Zneimer & Zneimer, P.C., she worked as an immigration attorney for a national law firm. Before this she was the Immigration Specialist of a Fortune 500 Company for several years where she managed the processing of all immigrant and non-immigrant employment-based visas, intra-company transfers, I-9 compliance, as well as the company's relationship with outside immigration counsel.

Ellen Freeman is counsel with Buchanan Ingersoll & Rooney in Pittsburgh, PA, where she focuses her practice on employment-based immigration for scientists, researchers and medical professionals primarily in the areas of biotech, health care and education. She also advises start-up and foreign companies/investors in corporate entity formation and establishment of U.S. operations. Ellen advises U.S. permanent residents throughout their temporary assignments abroad, complex family issues and citizenship process. She is Treasurer of the Pittsburgh Chapter of the American Immigration Lawyers Association, which recently honored her with a certificate of achievement for her dedication to public service in the field of immigration law. She has frequently been quoted and has written numerous articles on immigration issues in business and legal media. Ellen earned her J.D. and master's degrees in international affairs from the University of Pittsburgh and holds a master's degree in Russian.

Sameer Khedekar is supervising attorney in Pearl Law Group. Sameer has handled a wide variety of immigration matters for clients ranging from high-tech companies, startups, hospitals, universities, retail businesses, investors and individuals. He has gained extensive experience in all aspects of business immigration, including labor certifications and immigrant visa petitions; and nonimmigrant visas petitions for intra-company transferees, NAFTA professionals, treaty investors, specialty occupation professionals, religious workers and individuals of extraordinary ability. Sameer has also been a featured panelist on a nationally broadcast teleconference discussing the impact of common immigration issues facing large technology companies. Prior to joining Pearl Law Group, Sameer worked for full-service immigration law firms in San Francisco. In addition to practicing the full breadth of business immigration law, he successfully appeared on behalf of his clients before the USCIS in naturalization and adjustment of status proceedings, and before the Immigration Court in removal proceedings.

Alan Lee's law practice exclusively deals in the area of U.S. Immigration and Nationality laws and he has practiced this exclusively for 26 years. He has attained the AV rating in the Martindale-Hubbell Law Directory, the pre eminent rating system of lawyers in the United States. He was awarded twice by the government of the Republic of China in 1985 for his outstanding work in Immigration and Human Rights Affairs; was selected for Who's Who in American Law; and has appeared as an expert witness on immigration matters in court. He was honorary editor of the newspaper, Pakistan Calling, where his immigration columns were seen on a weekly basis. He writes extensively for the Chinese language newspapers, World Journal and Sing Tao. He previously authored articles in the Japanese language publication, OCA, and in the Pakistani language newspaper, Muhasba. His article, "The Bush Temporary Worker Proposal and Comparative Pending Legislation: an Analysis" was Interpreter Releases' cover display article at the American Immigration Lawyers Association annual conference in 2004, and his victory in the Second Circuit Court of Appeals in the case of first impression nationwide, Firstland International v. INS, successfully challenged INS' policy of over 40 years of revoking approved immigrant visa petitions under a nebulous standard of proof. Mr. Lee has over 900 legal writings in newspapers and journals on immigration law.

Cora-Ann V. Pestaina is an Associate at Cyrus D. Mehta and Associates, PLLC where she practices immigration and nationality law. She joins the firm with over two years of experience in immigration law having worked at a small, boutique immigration firm in Long Island, New York representing corporations and individuals in various immigrations matters. Cora-Ann received her J.D. in 2005 from Benjamin N. Cardozo School of Law/Yeshiva University where she was selected to participate in the Cardozo Immigration Law Clinic and assist attorneys with asylum and VAWA petitions. During law school, she also completed two immigration internships where she assisted attorneys in corporate and family-based immigration matters. Cora-Ann served as Annotations Editor for the Cardozo Women's Law Journal and was an executive member of the Black Law Students Association. Cora-Ann is admitted to practice in New York and is a member of the American Immigration Lawyers Association.

Bob Webber is the principal attorney at the Webber Law Firm. Mr. Webber is a graduate of William Mitchell College of Law (St. Paul, MN), and Wheaton College (Wheaton, IL). He is licensed to practice law by the Supreme Court of Minnesota. Mr. Webber has extensive experience working with both large and small employers in all aspects of employment-based immigration, including H-1B visas, PERM labor certification applications, and L-1 visas for established companies and start-ups. He also has worked with individuals in a wide range of U.S. visa matters, from marriage-based cases to religious worker petitions to applications for U.S. naturalization (citizenship). Mr. Webber is an active member of the American Immigration Lawyers Association (AILA), and has served as the Secretary and Treasurer of the Minnesota / Dakotas Chapter of AILA. He has spoken at several Continuing Legal Education (CLE) seminars on immigration-related topics and has also authored articles on immigration matters, including an article on immigration filing procedures and best practices in the AILA Annual Conference handbook.