Instructions for Preparing an Employment-Based Petition and Attachments Based On an Approved Permanent Alien Labor Certification

1. **Form I-140**: Download and print from USCIS website at [https://www.uscis.gov/files/form/i-140.pdf](https://www.uscis.gov/files/form/i-140.pdf) and attach a $700 filing fee in the form of a university check payable to “Department of Homeland Security” (see attached sample form).

2. **Form I-907**: This form is optional and only necessary if you are seeking “Premium Processing” service to expedite the processing of form I-140. For an additional $2,500, USCIS guarantees a response in 15 days from the date USCIS receives the I-140 petition. Please note: the $2,500 fee is not the University’s responsibility.

3. Enclose a letter from the chairperson to United States Citizenship and Immigration Services. The letter must include confirmation of a permanent job offer, job title and responsibilities, qualifications for the job, and current salary. Remember that these must be exactly the same job title, responsibilities and job qualifications which were listed on the PERM labor certification application (as noted on the “Notice of Filing Permanent Alien Labor Certification”). The only acceptable change to the position is that the salary may be higher now than at the time you filed the PERM.

4. Attach a recent curriculum vitae and evidence of whatever degrees, credentials and/or qualifications that were listed as “required” on your PERM labor certification application.

   - **Certify copies.** All photocopies submitted as evidence of your credentials must contain the following notation with your signature and date: “Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an immigration or consular official at a later date.”

   - **Translate foreign language documents.** All foreign language documents must be accompanied by a certified translation. A certified translation is one in which the translator has written: “I certify that I am competent in both English and __________ languages and that this is a true and accurate translation of the attached document.” The translator then signs and dates this statement in the presence of a notary public, who then notarizes the document.

5. Completed documents and check(s) should be hand delivered to the Office of the Director of International Faculty Services, Hill Hall, Room 325, Newark Campus.
To shorten delays caused by excessive USCIS backlogs, the USCIS currently allows aliens whose “priority dates” are current (see explanation below) to file any or all of the forms listed below if they choose to. The forms may be filed at any time after the employer has received from the USCIS a “Notice of Receipt” for the I-140 petition it filed on the alien’s behalf; the Newark office usually gets a receipt within 3 weeks after mailing the I-14 petition to USCIS. Note: if the alien chooses to file any of the forms listed below s/he must submit them to USCIS with a photocopy of the employer’s “Notice of Receipt” of the I-140 petition, available from the Office of International Faculty Services.

- **I-485**: Application for Permanent Residence (for alien, spouse, and children under 21). Once filed, the dependents cannot travel abroad without “Advanced Parole” until the green card is approved. The form is available online at (https://www.uscis.gov/files/form/i-485.pdf)

- **I-131**: Application for “Advanced Parole” permits each approved alien to travel abroad while the I-485 is pending at USCIS. The form is available online at (https://www.uscis.gov/files/form/i-131.pdf)

- **I-765**: Application for Employment Authorization permits unrestricted employment authorization for those with pending I-485 applications for 12 months at a time, or until the I-485 application is adjudicated. The form is available online at (https://www.uscis.gov/files/form/i-765.pdf)

All three forms are the alien’s (not Rutgers’) applications, and as such, Rutgers is not legally authorized to advise on them. Many Rutgers-sponsored employees have found the forms simple enough to fill without assistance; others have chose to hire (and pay for) an immigration attorney to assist. Either way, please note that there are both advantages and risks to filing the above forms.
RUTGERS

Explanation of “Priority Dates”: Individuals are NOT permitted to file the “green card” application (Form I-485 or any of the other forms I-131 or I-765) until their “priority date” is “current.”

A “priority date” is similar to a place in line – you first have to reach the front of the line in order to obtain what you have been standing in line for. Similarly, an individual’s “priority date” (place in line) must be “current” (front of line) in order for him/her to be eligible to file the I-485 application. Aliens are assigned a “priority date” (place in line) based on a number of factors, including what category I-140 was filed and what the alien’s country of birth is.

Since USCIS’s I-485 backlogs are so great, it is very common for a “priority date” to become “current” before the I-140 (employer’s petition) is even approved, and thus, if an alien filed an I-485 shortly after the Newark Coordinator’s Office received its I-140 receipt notice, the I-485 could very possibly be approved concurrently with or very shortly after Rutgers receives the I-140 approval based on the case.

However, when there are more green card applicants from specific countries than there are permanent visas allotted to that country, that country’s allotment is considered “oversubscribed” and individuals from those countries must “wait in line” for their priority date to become “current.”

To determine your own “priority date,” check information updated each month by the State Department on the internet at http://travel.state.gov/visa/bulletin/bulletin_1360.html. Look for “Employment Based” visas, 2nd category. Unless your country of birth is specifically mentioned, the date you want is the “worldwide” date (sometimes called “all chargeability areas”).

Important Note: At some point after your preference petition has been approved, you will receive a letter from the National Visa Center (Portsmouth, NH) requesting you notify that center as to whether you will “adjust status” at a local USCIS office or, instead, apply for the permanent visa at the U.S Embassy or consulate in your home country. You should make this decision carefully.
## Immigrant Petition for Alien Workers

**Department of Homeland Security**  
**U.S. Citizenship and Immigration Services**

### Form I-140

**OMB No. 1615-0015**  
**Expires 06/30/2022**

### Classification

- [ ] 203(b)(1)(A) Alien of Extraordinary Ability
- [ ] 203(b)(1)(B) Outstanding Professor or Researcher
- [ ] 203(b)(1)(C) Multinational Executive or Manager
- [ ] 203(b)(2)(A) Member of Professions with Advanced Degree/Exceptional Ability
- [ ] 203(b)(3)(A)(i) Skilled Worker
- [ ] 203(b)(3)(A)(ii) Professional
- [ ] 203(b)(3)(A)(iii) Other Worker

### Certification

- [ ] National Interest Waiver (NIW)
- [ ] Schedule A, Group 1
- [ ] Schedule A, Group 2

### Remarks

- [ ] To be completed by an Attorney or Accredited Representative (if any).
- [ ] Select this box if Form G-28 or Form G-28I is attached.

### Other Information

1. IRS Employer Identification Number (EIN)
   - 926001086
2. U.S. Social Security Number (SSN) (if any)
3. USCIS Online Account Number (if any)

### Part 2. Petition Type

This petition is being filed for (select only one box):

- [ ] An alien of extraordinary ability.
- [ ] An outstanding professor or researcher.
- [ ] A multinational executive or manager.
- [ ] A member of the professions holding an advanced degree or an alien of exceptional ability (who is NOT seeking a National Interest Waiver (NIW)).
- [ ] A professional (at a minimum, possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree).
- [ ] A skilled worker (requiring at least two years of specialized training or experience).
- [ ] Any other worker (requiring less than two years of training or experience).
- [ ] An alien applying for an NIW (who IS a member of the professions holding an advanced degree or an alien of exceptional ability).

### Mailing Address

- **In Care Of Name**: Salie Kasper
- **Street Number and Name**: 360 MLK BIVD
- **City or Town**: Newark
- **State**: NJ  
- **ZIP Code**: 07102
- **Country**: U.S.A.

### Part 1. Information About the Person or Organization Filing This Petition

If an individual is filing this petition, answer Item Numbers 1.a.-1.e. If a company or organization is filing this petition, answer Item Number 2.

1. a. **Family Name**  
   - N/A

1. b. **Given Name**  
   - N/A

1. c. **Middle Name**  
   - N/A

2. **Company or Organization Name**  
   - Rutgers University

---

**Sample I-140**
### Part 2. Petition Type (continued)
This petition is being filed (select only one box):

- [ ] To amend a previously filed petition.
- [ ] For the Schedule A, Group I or II designation.

### Part 3. Information About the Person for Whom You Are Filing

<table>
<thead>
<tr>
<th>1.a. Family Name</th>
<th>2.a.</th>
<th>In Care Of Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Last Name)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1.b. Given Name</th>
<th>2.b.</th>
<th>Street Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>(First Name)</td>
<td></td>
<td>and Name</td>
</tr>
</tbody>
</table>

|---------------------------|------|----------------------|

<table>
<thead>
<tr>
<th>1.d. City or Town</th>
<th>2.d.</th>
<th>City or Town</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>1.e. State</th>
<th>2.e.</th>
<th>ZIP Code</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>1.f. Country</th>
<th>2.f.</th>
<th>ZIP Code</th>
</tr>
</thead>
</table>

### Mailing Address

- [ ] In Care Of Name
- [ ] Street Number
- [ ] City or Town
- [ ] State
- [ ] Country

### Other Information

- [ ] Date of Birth (mm/dd/yyyy)
- [ ] City/Town/Village of Birth
- [ ] State or Province of Birth

### Part 4. Processing Information
Provide the following information for the person named in Part 3 (select only one box):

- [ ] Alien will apply for a visa abroad at a U.S. Embassy or U.S. Consulate at:
- [ ] City or Town
- [ ] Country

- [ ] Alien is in the United States and will apply for adjustment of status to that of lawful permanent resident.
Part 4. Processing Information (continued)

2.b. Alien's current country of residence or, if now in the United States, last country of permanent residence abroad.

If you provided a United States address in Part 3., provide the person's foreign address in Item Numbers 3.a. - 3.f.:

3.a. Street Number and Name


3.c. City or Town

3.d. Province

3.e. Postal Code

3.f. Country

If the person's native alphabet is other than Roman letters, type or print the person's foreign name and address in the native alphabet in Item Numbers 4.a. - 4.e.:

4.a. Family Name (Last Name)

4.b. Given Name (First Name)

4.c. Middle Name

Mailing Address

5.a. In Care Of Name

5.b. Street Number and Name


5.d. City or Town

5.e. Province

5.f. Postal Code

5.g. Country

If you answer "Yes" to Item Numbers 6.a. - 10., provide the case number, office location, date of decision, and disposition of the decision in the space provided in Part 11. Additional Information.

6.a. Are you filing any other petitions or applications with this Form I-140? □ Yes □ No

6.b. If you answered "Yes" to Item Number 6.a., select all applicable boxes:

□ Form I-485
□ Form I-131
□ Form I-765
□ Other (Provide an explanation in Part 11. Additional Information.)

7. Is the person for whom you are filing in removal proceedings? □ Yes □ No

8. Has any immigrant visa petition ever been filed by or on behalf of this person? □ Yes □ No

9. Are you filing this petition without an original labor certification because the original labor certification was previously submitted in support of another Form I-140? □ Yes □ No

10. If you are filing this petition without an original labor certification, are you requesting that U.S. Citizenship and Immigration Services (USCIS) request a duplicate labor certification from the Department of Labor (DOL)? □ Yes □ No

Part 5. Additional Information About the Petitioner

Type of petitioner (select only one box):

1.a. □ Employer

1.b. □ Self

1.c. □ Other (For example, Lawful Permanent Resident, U.S. citizen or any other person filing on behalf of the alien)

If a company or an organization is filing this petition, provide the following information:

2. Type of Business

Public University

3. Date Established (mm/dd/yyyy) 11/10/1766

4. Current Number of U.S. Employees 10

5. Gross Annual Income $ 0

6. Net Annual Income $ 0

7. NAICS Code ▶ 61310

8. Labor Certification DOL Case Number
Part 5. Additional Information About the Petitioner (continued)

9. Labor Certification DOL Filing Date (mm/dd/yyyy)

10. Labor Certification Expiration Date (mm/dd/yyyy)

If an individual is filing this petition, provide the following information.

11. Occupation

12. Annual Income $

Part 6. Basic Information About the Proposed Employment

1. Job Title

2. SOC Code

3. Nontechnical Job Description

4. Is this a full-time position? □ Yes □ No

5. If the answer to Item Number 4, is "No," how many hours per week for the position?

6. Is this a permanent position? □ Yes □ No

7. Is this a new position? □ Yes □ No

8. Wages (Specify hour, week, month, or year): $_____ per _____

Worksite Location

For Item Numbers 9.a. - 9.e., provide the address where the person will work if different from the address provided in Part 1.

9.a. Street Number and Name


9.c. City or Town


Part 7. Information About the Spouse and All Children of the Person for Whom You Are Filing

For Part 7, provide information on the spouse and all children related to the individual for whom you are filing this petition. Also, note if the individual will apply for a visa abroad or adjustment of status as the dependent of the individual for whom the petition is filed. If you need extra space to provide information about additional family members, use the space provided in Part 11. Additional Information.

Person 1

1.a. Family Name (Last Name)

1.b. Given Name (First Name)

1.c. Middle Name

2. Date of Birth (mm/dd/yyyy)

3. Country of Birth

4. Relationship

5. Is he or she applying for adjustment of status? □ Yes □ No

6. Is he or she applying for a visa abroad? □ Yes □ No

Person 2

7.a. Family Name (Last Name)

7.b. Given Name (First Name)

7.c. Middle Name

8. Date of Birth (mm/dd/yyyy)

9. Country of Birth

10. Relationship

11. Is he or she applying for adjustment of status? □ Yes □ No

12. Is he or she applying for a visa abroad? □ Yes □ No
Part 7. Information About Spouse and All Children of the Person for Whom You Are Filing (continued)

Person 3
13.a. Family Name (Last Name) 
13.b. Given Name (First Name) 
13.c. Middle Name 
14. Date of Birth (mm/dd/yyyy) 
15. Country of Birth 
16. Relationship 
17. Is he or she applying for adjustment of status? □ Yes □ No 
18. Is he or she applying for a visa abroad? □ Yes □ No 

Person 4
19.a. Family Name (Last Name) 
19.b. Given Name (First Name) 
19.c. Middle Name 
20. Date of Birth (mm/dd/yyyy) 
21. Country of Birth 
22. Relationship 
23. Is he or she applying for adjustment of status? □ Yes □ No 
24. Is he or she applying for a visa abroad? □ Yes □ No 

Person 5
25.a. Family Name (Last Name) 
25.b. Given Name (First Name) 
25.c. Middle Name 
26. Date of Birth (mm/dd/yyyy) 
27. Country of Birth 
28. Relationship 
29. Is he or she applying for adjustment of status? □ Yes □ No 
30. Is he or she applying for a visa abroad? □ Yes □ No 

Person 6
31.a. Family Name (Last Name) 
31.b. Given Name (First Name) 
31.c. Middle Name 
32. Date of Birth (mm/dd/yyyy) 
33. Country of Birth 
34. Relationship 
35. Is he or she applying for adjustment of status? □ Yes □ No 
36. Is he or she applying for a visa abroad? □ Yes □ No
Part 8. Statement, Contact Information, Declaration, Certification, and Signature of the Petitioner or Authorized Signatory and Signature

NOTE: Read the Penalties section of the Form I-140 Instructions before completing this part.

Petitioner's or Authorized Signatory's Statement

NOTE: Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

1.a. ☐ I can read and understand English, and I have read and understand every question and instruction on this petition and my answer to every question.

1.b. ☐ The interpreter named in Part 9, has read to me every question and instruction on this petition and my answer to every question in a language in which I am fluent. I understood all of this information as interpreted.

2. ☐ At my request, the preparer named in Part 10, prepared this petition for me based only upon information I provided or authorized.

Authorized Signatory's Contact Information

3.a. Authorized Signatory's Family Name (Last Name)

3.b. Authorized Signatory's Given Name (First Name)

4. Authorized Signatory's Title

5. Authorized Signatory's Daytime Telephone Number

6. Authorized Signatory's Mobile Telephone Number (if any)

7. Authorized Signatory's Email Address (if any)

Petitioner's or Authorized Signatory's Declaration and Certification

Copies of any documents submitted are exact photocopies of unaltered, original documents, and I understand that, as the petitioner, I may be required to submit original documents to USCIS at a later date.

I authorize the release of any information from my records, or from the petitioning organization's records, to USCIS or other entities and persons where necessary to determine eligibility for the immigration benefit sought or where authorized by law. I recognize the authority of USCIS to conduct audits of this petition using publicly available open source information. I also recognize that any supporting evidence submitted in support of this petition may be verified by USCIS through any means determined appropriate by USCIS, including but not limited to, on-site compliance reviews.

If filing this petition on behalf of an organization, I certify that I am authorized to do so by the organization.

I certify, under penalty of perjury, that I have reviewed this petition, I understand all of the information contained in and submitted with, my petition, and all of this information is complete, true, and correct.

Petitioner's or Authorized Signatory's Signature

8.a. Petitioner's Signature

8.b. Date of Signature (mm/dd/yyyy)

NOTE TO ALL PETITIONERS AND AUTHORIZED SIGNATORIES: If you do not completely fill out this petition or fail to submit required documents listed in the Instructions, USCIS may delay a decision on or deny your petition.

Part 9. Interpreter's Contact Information, Certification, and Signature

Provide the following information about the interpreter.

Interpreter's Full Name

1.a. Interpreter's Family Name (Last Name)

1.b. Interpreter's Given Name (First Name)

2. Interpreter's Business or Organization Name (if any)
Part 9. Interpreter's Contact Information, Certification, and Signature (continued)

Interpreter's Mailing Address
3.a. Street Number and Name
3.c. City or Town
3.d. State ▼ 3.e. ZIP Code
3.f. Province
3.g. Postal Code
3.h. Country

Interpreter's Contact Information
4. Interpreter's Daytime Telephone Number
5. Interpreter's Mobile Telephone Number
6. Interpreter's Email Address (if any)

Interpreter's Certification
I certify, under penalty of perjury, that:

I am fluent in English and ________, which is the same language specified in Part 8, Item Number 1.b., and I have read to this petitioner or the authorized signatory in the identified language every question and instruction on this petition and his or her answer to every question. The petitioner or authorized signatory informed me that he or she understands every instruction, question, and answer on the petition, including the Petitioner's or Authorized Signatory's Declaration and Certification, and has verified the accuracy of every answer.

Interpreter's Signature
7.a. Interpreter's Signature
7.b. Date of Signature (mm/dd/yyyy)

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Authorized Individual

Provide the following information about the preparer.

Preparer's Full Name
1.a. Preparer's Family Name (Last Name)
1.b. Preparer's Given Name (First Name)
2. Preparer's Business or Organization (if any)

Preparer's Mailing Address
3.a. Street Number and Name
3.c. City or Town
3.d. State ▼ 3.e. ZIP Code
3.f. Province
3.g. Postal Code
3.h. Country

Preparer's Contact Information
4. Preparer's Daytime Telephone Number
5. Preparer's Mobile Telephone Number (if any)
6. Preparer's Email Address (if any)
Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Authorized Individual (continued)

Preparer's Statement

7.a.  □ I am not an attorney or accredited representative but have prepared this petition on behalf of the petitioner and with the petitioner's consent.

7.b.  □ I am an attorney or accredited representative and my representation of the petitioner in this case □ extends □ does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited representative, you may need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or Form G-28l, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, with this petition.

Preparer's Certification

By my signature, I certify, under penalty of perjury, that I prepared this petition at the request of the petitioner or authorized signatory. The petitioner has reviewed this completed petition, including the Petitioner's or Authorized Signatory's Declaration and Certification, and informed me that all of this information in the form and in the supporting documents is complete, true, and correct.

Preparer's Signature

8.a. Preparer's Signature

__________________________

8.b. Date of Signature (mm/dd/yyyy)  

__________________________

[Signature]

Form I-140  Edition  09/30/20  Page 8 of 9
### Part 11. Additional Information

If you need extra space to provide any additional information within this petition, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this petition or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

<table>
<thead>
<tr>
<th>1.a Family Name (Last Name)</th>
<th>5.a Page Number</th>
<th>5.b Part Number</th>
<th>5.c Item Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.b Given Name (First Name)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.c Middle Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. IRS EIN</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.a Page Number</th>
<th>3.b Part Number</th>
<th>3.c Item Number</th>
<th>5.d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.a Page Number</th>
<th>4.b Part Number</th>
<th>4.c Item Number</th>
<th>6.a Page Number</th>
<th>6.b Part Number</th>
<th>6.c Item Number</th>
<th>6.d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7.a Page Number</th>
<th>7.b Part Number</th>
<th>7.c Item Number</th>
<th>7.d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

Liane Blank