

PREFACE

Welcome to the 2023 edition of *AILA's Guide to PERM Labor Certification*. Since the last edition of this book, the Department of Labor (DOL) has issued the long-awaited, updated version of Form ETA-9089. It has also replaced the iCERT system for submitting ETA-9141 prevailing wage determination applications and the PERM site for filing the ETA-9089 with the Foreign Labor Application Gateway (FLAG). New issues have come into focus as well, from the impact of state and local equal pay transparency laws on PERM applications to issues surrounding a more mobile workforce in the wake of COVID. And of course, the Board of Alien Labor Certification Appeals (BALCA) continues to shape our understanding of the PERM regulations through its decisions.

All these developments and existing law are expertly analyzed by a distinguished collection of authors brought together for this edition of the *Guide*. The PERM process is looked at from every angle and in depth, from the things you should be considering before accepting a client to your options for challenging an adverse determination. Back for this edition, and perhaps most useful to practitioners new to PERM world, are the comprehensive articles explaining step-by-step what you need to know and do to handle a PERM case, and how to accurately and effectively submit an approvable Form ETA-9089 through FLAG. Once again the *Guide* contains an appendix with sample documents illustrating all the steps.

Special thanks go out to the members of the AILA DOL Liaison Committee and other AILA practitioners who dedicated their time and effort to creating this invaluable resource for PERM attorneys everywhere. We encourage you to keep up to date with PERM developments by availing yourself of AILA's resources through www.aila.org. In particular, see the *Featured Issue Page: Implementation of New Form ETA-9089 in DOL FLAG System*, at AILA Doc. No. 23071923, for continued guidance on using FLAG to file labor certification applications.

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