

DEPARTMENT OF LABOR ANNOUNCES RIR CONVERSION PROCEDURES

January 3, 2007

The U.S. Department of Labor recently issued guidelines on how to convert any Labor Certification Petitions (LCP) pending at the Backlog Elimination Centers (BEC) filed under "traditional" processing to Reduction in Recruitment (RIR) processing.

In order to convert a traditional case, employers must make a request in writing to the BEC noting its intent to convert the pending case to RIR processing. Once the BEC receives this request, it will place the case on "hold" until the RIR recruitment and conversion package is received. The employer will then need to conduct the necessary RIR recruitment campaign and forward its results onto the BEC. The BEC will review the materials to determine if the case can be processed under RIR procedures.

An employer may file a request to convert to RIR if it has a currently pending traditional application in one of the BECs (Dallas or Philadelphia) that meets the following conditions:

- The case has not already received a disposition, e.g. certification, denial;
- A Notice of Findings (NOF) has not been issued for the application, or a NOF has been issued but successfully rebutted at the time of sending the email request;
- The application is not for a Schedule B occupation; and
- The applicant or its attorney/agent has not received a Recruitment Report Instructions Letter from the BEC indicating that supervised recruitment has ended and providing instructions for the results.

Some of the advantages of converting a traditional case to RIR processing include the following:

- Reduced advertising costs
- Faster processing times
- Ability to control/manage the recruitment campaign

If you would like to learn more about the possibility of converting a traditional LCP case to RIR processing, please contact our office for additional information.