



EMPLOYMENT-BASED IMMIGRATION VISA ELIGIBILITY			
	YES	NO	EXPLANATION
1. CAN YOU PROVE THAT YOU ARE AN ALIEN OF EXCEPTIONAL ABILITY* OR ABLE TO INVEST \$500,000 OR MORE IN THE UNITED STATES?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, proceed to question 2.</p> <p>IF YES, congratulations. You have found one of the quickest ways to come legally to the United States. It will take you approximately 12 to 18 months to receive a visa to immigrate.</p> <p><small>*In science, arts, education, business, or athletics, as demonstrated by sustained national/international acclaim and extensive documentation of achievements.</small></p>
2. ARE YOU A SKILLED WORKER?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, sorry. Unlike other periods in our history, there is virtually no way for unskilled workers without family already in the U.S. to immigrate permanently. Only 5,000 immigrant visas are given per year to unskilled workers, and none of those can go to agricultural workers. You may apply for one of those visas, but your odds are slim.</p> <p>IF YES, proceed to question 3.</p>
3. DO YOU HAVE A COLLEGE DEGREE IN A SPECIALTY FIELD?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, sorry. Even if you have a degree, you will only receive a visa if there is a shortage in your industry.</p> <p>IF YES, proceed to question 4.</p>
4. DO YOU ALREADY HAVE A JOB OFFER IN THE UNITED STATES?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, sorry. You cannot receive an employment-based immigrant visa without one.</p> <p>IF YES, proceed to question 5.</p>
5. IS YOUR EMPLOYER WILLING TO FILE THE NECESSARY U.S. PAPERWORK, PAY THE REQUIRED VISA FEES AND UP TO \$10,000 IN LEGAL FEES, AND CONDUCT A NEW JOB SEARCH FOR YOUR POSITION?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, sorry. You cannot receive an employment-based immigration visa.</p> <p>IF YES, proceed to question 6.</p>
6. IS YOUR EMPLOYER WILLING AND ABLE TO WAIT 6 TO 10 YEARS FOR YOU TO BEGIN WORK?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, proceed to question 7.</p> <p>IF YES, congratulations. It will take approximately 6 to 10 years to receive a visa to immigrate.</p> <p><small>*Not all employers will have to wait this long; wait time depends on labor demand and speed of processing due to backlog.</small></p>
7. IS YOUR EMPLOYER WILLING TO APPLY FOR A TEMPORARY WORK VISA FOR YOU?	<input type="checkbox"/>	<input type="checkbox"/>	<p>IF NO, sorry. There is no legal way for you to work in the United States.</p> <p>IF YES, you will have permission to work in the United States. However, a temporary work visa cannot lead to legal permanent residency (a green card), but you will be able to enter the U.S. legally for one-year periods. See table on the back.</p>

There are many types of temporary work visas, but only two apply to low-skilled workers:

TEMPORARY WORK VISAS	
VISA	EXPLANATION
H-2A SEASONAL AGRICULTURAL WORKERS	Allows U.S. employers to bring foreign workers to do temporary or seasonal agricultural work that U.S. workers are unable or unwilling to do. Not all countries are eligible for this program. The visa can be used for up to one year, and is renewable two times. After a total of three years, the visa holder must depart the U.S. and remain outside for at least three months before seeking readmission. Accompanying family members are not eligible for employment while in the U.S. An H-2A visa cannot lead to permanent legal residency.
H-2B TEMPORARY NONAGRICULTURE WORKERS	Allows U.S. employers to bring foreign workers to do temporary or seasonal non-agricultural work that U.S. workers are unable or unwilling to do. Currently there is a cap of 66,000 H-2B visas per year, with only 33,000 given out each six months. This number is well below the demand — some years there have been as many as 350,000 applications for the visas. The process is extremely complicated and involves four different government agencies, each of which has extremely complex regulations. An employer must file the forms separately for each individual employee in each state where he or she will work. Accompanying family members cannot work in the U.S. An H-2B visa cannot lead to permanent legal residency.