



## Three-Part Telephone Seminar: PERM for Experts

**Speakers:** Michael Piston (Discussion Leader), Krista Carpenter, Jeff Devore, Steven Grogan, Edwin Rubin, Lawrence Rudnick, Nathan Waxman and others to be announced.

**CDs Available**

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### SEMINAR OUTLINE

#### **FIRST Phone Session on Thursday, January 29, 2015 from 2 p.m. to 3 p.m. (Eastern Time)**

Setting up the ETA 9089 for Anticipated EB-2 Applicants

- Establishing that the beneficiary has a "foreign equivalent" bachelor's degree;
- Using experience gained with the same or a related employer to satisfy the 5 year experience requirement;
- Establishing that an applicant without a foreign equivalent bachelor's degree is of "exceptional ability";
- The Schedule A "exceptional ability" category;
- Getting a Prevailing Wage that the employer can afford to pay.

#### **SECOND Phone Session on February 12, 2015 from 2 p.m. to 3 p.m. (Eastern Time)**

Overcoming Common Recruitment Problems

- How to recruit for a job involving multiple unanticipated locations;
- Avoiding the dreaded "death spiral" - fixing recruitment problem in mid-stream without losing expensive newspaper advertisements and other recruitment efforts;
- How to counsel the employer on appropriately considering qualified and rejecting unqualified applicants;
- The special problems presented by apparently non-U.S. workers;
- The limits of the attorney's role in recruitment.

#### **THIRD Phone Session on March 5, 2015 from 2 p.m. to 3 p.m. (Eastern Time)**

Post-Filing Issues: Audits, Supervised Recruitment, and Overcoming Denials

- Overcoming the "familial relationship" audit;
- Establishing the "business necessity" of controversial requirements;
- Surviving supervised recruitment hell;
- Overcoming denials with new evidence;
- When to fight and when to flee from a labor certification denial.

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### ABOUT THE SPEAKERS

**Michael Piston** (Discussion Leader) is the senior partner in Piston & Carpenter PC in Troy, Michigan. He has practiced immigration law exclusively for over 20 years, and has spoken at numerous American Immigration Lawyers Association (AILA) and ILW.COM conferences and workshops as well as writing articles for AILA Annual Conferences Handbooks and ILW PERM Handbooks. With four attorneys practicing exclusively in the field of immigration and nationality law, the Piston Group provides its clients with focused and in-depth representation in business immigration matters. The firm was founded in 1985 by Michael E. Piston, since that time, the firm has processed over 5,000 applications for U.S. permanent residence based upon employment and over 10,000 immigrant employment visas.

**Krista L. Carpenter** has been a partner at Piston & Carpenter P.C. since 2007. A graduate of the Michigan State University School of Law, she has been practicing immigration law exclusively since 1997. She is an active member of the American Immigration Lawyers Association (AILA) and regularly attends national and regional conferences. She is admitted to the State Bar of Michigan and is authorized to practice before the Eastern District of Michigan and the Sixth Circuit Court of



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Appeals. She specializes in business immigration.

**Jeffrey A. Devore** practices immigration and nationality law with the Devore Law Group in West Palm Beach (Palm Beach Gardens), Florida. He received his Bachelor of Science degree in Computer Science from Bowling Green State University and his Juris Doctor degree from The Thomas M. Cooley Law School. He was admitted to The Florida Bar in May, 1990. Mr. Devore is Board Certified in Immigration and Nationality law by The Florida Bar and specializes in assisting foreign nationals who want to live and work in the United States and companies that wish to employ them. He is AV® Rated by Martindale-Hubbell, indicating very high to preeminent legal ability and very high ethical standards as established by confidential opinions from members of the Bar. He has been recognized as an expert in immigration law and frequently litigates against the United States Departments of State, Justice and Homeland Security in Federal Courts. He writes and lectures extensively on United States immigration and naturalization matters. He is admitted to practice before the United States Supreme Court, the United States Court of Appeals for the 9th and 11th Circuits, the U.S. District Courts for the Middle and Southern Districts of Florida, the Northern District of Texas, the Western District of Tennessee, and the District of Arizona.

**Steven D. Grogan** is President of APWD. APWD, originally "Alien Prevailing Wage Determinations, Inc.," represents the original staff of International Education Evaluations, Inc. (IEE), the third private organization formed in the United States for the purpose of international credential evaluations. Mr. Grogan earned the Bachelor of Science in Behavioral Science (I/O) and Military Studies from the United States Air Force Academy in June 1977. In 1987, he earned the Master of Business Administration degree through the Air Force Institute of Technology (AFIT) and the University of North Dakota. He has completed numerous professional, management, and leadership courses, and directed the U.S. Air Force's largest flight training school. An officer of IEE, before his retirement from the Air Force, he began doing credential evaluations on a full-time basis in March of 1993. In March of 1995, he founded APWD, Inc., expanding the services of the original organization to include human resources consulting. Since 1995, APWD has been in the business of reviewing and analyzing professional job positions for the purpose of providing prevailing wage assessments to employers, including assessments for foreign special occupation professional workers. APWD is routinely retained by employers of potential H-1B specialty occupation and Permanent Labor Certification workers for the purpose of analyzing contemplated employment positions and providing prevailing wage assessments for those professional positions.

**Edwin Rubin** practice is limited to immigration and nationality law with special emphasis on corporate and employment based immigration matters. Mr. Rubin's practice has been limited to immigration and nationality matters for over 42 years. He served as National President of the American Immigration Lawyer's Association (AILA) in 1990-91 and has been a member of AILA's Board of Governors since 1982. He served as AILA Chapter Chair in both Philadelphia and New Jersey. Mr. Rubin is currently Vice President of the New Jersey Immigration Policy Network, Inc. He was Senior Editor of and Contributing Author to, "Immigration & Nationality Law," AILA, (two volumes annually), 1985-1990 and has been Editor Emeritus since 1990. He was appointed by the U.S. Secretary of Labor to serve two terms as one of the sixteen members of the Federal Advisory Committee on the Immigration Nursing Relief Act of 1989. He was the 1993 recipient of AILA's Edith Lowenstein Memorial Award for Excellence in Advancing the Administrative Practice of Immigration Law and recipient of the 2001 AILA Mentor Award. He established the AILA Mentor program during his term as AILA President. Mr. Rubin is a frequent author and lecturer on immigration issues. He is listed in the "Martindale-Hubbell Bar Register of Preeminent Lawyers", "Best Lawyers in America", "An International Who's Who of Corporate Immigration Lawyers (where he was rated as one of the top 23 immigration lawyers in the U.S.)" and "Superlawyers".

**Lawrence Rudnick** is the managing partner of The Rudnick Spector Firm, whose practice is limited exclusively to immigration and nationality law. He was previously a partner in the firm Steel, Rudnick & Ruben. Mr. Rudnick has some 35 years of experience practicing law with nearly 30 years exclusively in the practice of immigration law. Mr. Rudnick's practice emphasizes business immigration law, especially the international transfer of executive, managerial, professional and specialized knowledge employees. Mr. Rudnick also has an extensive litigation practice including significant litigation in the U.S. Court of Appeals and District Courts. Mr. Rudnick has written numerous articles related to business immigration issues. He is an annual speaker at the National Conference of the American Immigration Lawyers Association.

**Nathan Waxman** served as expert witness before the Board of Alien Certification Appeals and the Executive Office of



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Immigration Review on labor certification and employment-based immigration matters. He has served on numerous local and national AILA committees and has participated in the drafting and submission of comments to the Department of Labor and the former Immigration and Naturalization Service, in response to proposed rulemaking regarding key issues in employment-based immigration law. He has been the author of numerous articles on topics ranging from the National Interest Waiver through H-1 portability and cap issues to the representation of alternative health care practitioners. He has served on AILA's New Ideas Committee and is Adjunct Professor of Business Immigration at the School of Professional Studies, City University of New York

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