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6th preference visa petitions open for RP applicants

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The sixth preference category is open for Filipinos in the month of October, 1977, according to the visa office of the US Department of State. This means that visa numbers are available for qualified applicants and they may be able to obtain their immigrant visas or adjust their status to that of permanent residents in a matter of months.

This development comes as a surprise to Filipinos who have been waiting for their visa numbers for as long as seven years or more. Sixth preference visa numbers have been unavailable for a number of years now, and only the first and second preference categories have been current. Under the new formula or visa allocation that takes effect tomorrow, Oct. 1, 1977, the sixth preference category has a potential

2,000 visa numbers every year. These visa numbers are made available strictly in the chronological order in which aliens qualify.

Prior to the effectivity of this formula, visa numbers were unavailable for the sixth preference category because the 20,000 visa numbers annually allotted to Filipinos were consumed by the first, second and third preference categories. It was precisely the purpose of the new formula to prevent the higher preferences in any particular country like the Philippines from continuously using up maximum allowable visa numbers.

The sixth preference is open to skilled and unskilled labor which is not of a temporary or seasonal nature, and for which a shortage of employable and willing persons exists. This group of workers includes doctors (with VQE), nurses, teachers, and artists as well as specialty

cooks and live-in maids.

Before an alien can obtain his sixth preference visa classification, he must get a certification from the secretary of labor that:

(1) There are no sufficient US workers who are able, willing, qualified and available to perform the work;

(2) The employment of said alien will not adversely affect the wages and working conditions of US workers similarly employed.

Under the new labor department rules and regulations, the application for labor certification, except in Schedule A occupations, is filed by the employer with the local employment service office serving the area where the alien proposes to be employed. The employer's application should set forth the qualifications of the aliens and a description of the job offer.

Documentation is required to show clearly that the employer has been recruiting at the prevailing wage and at prevailing working conditions and that he has enough funds available to pay the wage. The employer is also required to submit proof that he advertised the job opportunity in a newspaper of general circulation, but that the advertisement was not successful.