



# GMS Flash Alert

## Immigration Edition

2020-272 | June 8, 2020

# United States – DOL Will Not Extend Certain COVID-19 Accommodations

On June 3, 2020, the U.S. Department of Labor's Office of Foreign Labor Certification (OFLC) announced that it will not extend temporary extensions of time and deadlines to respond to certain inquiries and recruitment for PERM filings for employers impacted by the COVID-19 pandemic.<sup>1</sup>

These accommodations allowed for an automatic extension (until May 12, 2020) to respond to OFLC inquiries with an initial deadline falling between March 13, 2020 and May 12, 2020. This extension applied to requests for audit documentation; a response to a Notice of Deficiency; submissions of recruitment reports; business verification and sponsorship documentation; supervised requirement requests; requests for reconsideration of a prevailing wage determination; and any other request for information issued by the Office of Foreign Labor Certification containing a due date. It also extended the 180-day PERM recruitment window by 60 days for all filings that occur by May 12, 2020.

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## WHY THIS MATTERS

These were important accommodations designed to support employers affected by the COVID-19 pandemic. In light of the OFLC's decision not to renew these accommodations, employers must submit responses to inquiries and file PERM applications by the designated deadlines.

Other DOL's accommodations related to COVID-19 remain in full effect, including those related to temporary immigration programs.

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## KPMG NOTE

Employers may still request extensions if they require additional time to respond to a deadline. However, these requests must be made on or before the due date, and each request for extension will be decided on a case-by-case basis.

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## FOOTNOTE:

1 See: [COVID-19 Frequently Asked Questions ROUND 4 June 3<sup>rd</sup>, 2020](#) and [COVID-19 Frequently Asked Questions ROUND 1 March 20, 2020](#) .

For prior coverage, see GMS [Flash Alert 2020-159](#) (April 8, 2020).

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## Contact us

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