Did you know the U.S. issues approximately 40,000 EB-3 visas each year, accounting for 28.6% of all employment-based green cards?

The EB-3 visa offers skilled, professional, and even unskilled workers a straightforward path to permanent U.S. residency. Whether you're a professional nurse, physical therapist, or fall into another eligible category, this visa program could be your ticket to living and working permanently in the United States.

However, navigating the application process requires careful planning. Currently, the average processing time for Form I-140 (Immigrant Petition for Alien Worker) is 8.1 months, though premium processing can expedite this to just 15 calendar days.

In this comprehensive guide, we'll explain everything you need to know about the eb3 visa program—from eligibility requirements across all three worker categories to step-by-step application instructions. We'll also cover essential considerations like priority dates, visa bulletins, and how to include family members in your application.

Understanding the EB-3 Visa

What is the EB-3 visa?

The EB-3 visa stands as a gateway to permanent U.S. residency through employment opportunities. Officially categorized as

the Employment-Based Third Preference, this immigrant visa allows foreign nationals to obtain a green card based on job qualifications. Unlike other employment visas that might be temporary, the EB-3 leads directly to lawful permanent resident status, enabling recipients to live and work indefinitely in the United States.

Each year, approximately 40,000 EB-3 visas are allocated globally, representing 28.6% of the worldwide limit of employment-based immigrant visas. Nevertheless, since demand frequently exceeds supply, applicants often face waiting periods of several years before their applications are processed.

Who manages the EB-3 program?

The EB-3 program operates under multiple federal agencies working in tandem:

1. **Department of Labor (DOL)** – Reviews and approves labor certification applications (Form ETA-9089), confirming that no qualified U.S. workers are available for the position
2. **U.S. Citizenship and Immigration Services (USCIS)** – Processes and adjudicates the Form I-140 (Immigrant Petition for Alien Worker)
3. **Department of State** – Handles visa processing at U.S. consulates abroad for applicants pursuing consular processing

Types of workers eligible under EB-3

The EB-3 visa encompasses three distinct subcategories, each tailored to specific qualification levels:

- **EB-3A: Professionals** – Individuals who possess at least a U.S. bachelor's degree or foreign equivalent. Education and experience cannot be substituted for the degree requirement.
- **EB-3B: Skilled Workers** – Candidates who can demonstrate at least two years of job experience or training for permanent positions. Relevant post-secondary education may count toward this requirement.
- **EB-3C: Other Workers** (Unskilled) – Individuals capable of performing labor requiring less than two years of training or experience. Although requirements are less stringent, this category faces a separate annual cap of 10,000 visas and typically experiences longer waiting periods.

Regardless of subcategory, all EB-3 applicants must have a permanent, full-time job offer from a U.S. employer, along with an approved labor certification in most cases.

Who Qualifies for the EB-3 Visa

The EB-3 visa program creates pathways to permanent residency for three distinct categories of workers, each with specific qualification requirements. Understanding which category fits your background is crucial for a successful application.

Skilled workers: 2+ years of experience

Skilled workers must demonstrate capabilities that require at least two years of job experience or specialized training. This category focuses on permanent positions that are neither temporary nor seasonal in nature. Importantly, relevant post-secondary education may count toward the experience requirement, providing flexibility for candidates with some formal education. The position must typically require skilled labor that meets the educational, training, or experience requirements specified by the employer.

Professionals: Bachelor’s degree or equivalent

Professional applicants must possess at least a U.S. bachelor’s degree or a foreign equivalent recognized by USCIS. Unlike other visa categories, work experience cannot substitute for the degree requirement—even if you’re missing just one credit for graduation. Furthermore, the job itself must require a minimum of a bachelor’s degree as the industry standard. Three-year foreign bachelor’s degrees typically don’t qualify as equivalent to U.S. degrees.

Unskilled workers: Less than 2 years of training

Often called “other workers,” this category accommodates those performing labor requiring less than two years of training or experience. While the qualification threshold is lower, these positions must still be permanent rather than temporary or

seasonal. Notably, this subcategory faces stricter limitations, with only 10,000 visas granted annually for unskilled workers.

Job offer and labor certification requirements

For all EB-3 categories, a permanent, full-time job offer from a U.S. employer is mandatory. Additionally, most applications require a labor certification (PERM) from the Department of Labor, confirming that:

1. No qualified U.S. workers are available or willing to accept the position
2. Employing a foreign worker won't negatively impact wages or working conditions of similarly employed Americans

The labor certification includes employer advertising requirements and remains valid for 180 days after approval. During this period, it must be submitted with Form I-140 to USCIS to establish your priority date.

How to Apply for an EB-3 Visa

Applying for an EB-3 visa involves a multi-step process that typically takes several months to complete. Each stage requires careful attention to detail and specific documentation. Let's break down the application process into manageable steps.

Step 1: Labor certification (PERM)

Initially, your U.S. employer must obtain a PERM labor certification from the Department of Labor. This process verifies no qualified U.S. workers are available for your position. Your employer must:

1. Request a Prevailing Wage Determination to establish minimum salary requirements
2. Advertise the position through multiple channels, including newspapers and the state workforce agency
3. Interview any U.S. applicants and document reasons for rejection
4. Submit ETA Form 9089 to the Department of Labor for certification

This certification remains valid for 180 days after approval and serves as the foundation for subsequent steps.

Step 2: Filing Form I-140

Upon receiving labor certification, your employer files Form I-140 (Immigrant Petition for Alien Worker) with USCIS. This petition must include:

- The certified, signed labor certification (Final Determination)
- Documentation of your qualifications (degrees, work experience letters)
- Evidence of the employer's ability to pay the offered wage

- Filing fee ($715 as of 2023)

Employers can request premium processing for faster adjudication (15 calendar days instead of 6-8 months).

Step 3: Adjustment of Status or Consular Processing

Following I-140 approval, you'll proceed through one of two pathways:

- **Adjustment of Status**: If you're legally in the U.S., file Form I-485 to change from non-immigrant to immigrant status
- **Consular Processing**: If outside the U.S., apply for an immigrant visa through a U.S. consulate abroad ($345 application fee)

Your priority date must be current according to the visa bulletin before proceeding with this step.

Step 4: Medical exam and visa interview

Finally, complete a medical examination with an authorized physician. For consular processing, schedule this before your interview. The exam includes:

- Physical examination

- TB testing (for applicants over 2 years old)
- Blood tests for certain diseases
- Vaccination verification

Afterward, attend your visa interview where a consular officer reviews your application and determines your eligibility for the EB-3 visa.

Important Considerations Before You Apply

Before embarking on the EB-3 visa journey, several crucial factors deserve your attention. These considerations often determine the timeline and success of your application.

Visa bulletin and priority dates

The Department of State publishes a monthly Visa Bulletin that determines when you can proceed with your application. Your priority date—established when your labor certification is filed—must be "current" based on the Visa Bulletin before you can file Form I-485 or schedule a consular interview. For applicants from countries like India, this waiting period may extend beyond 12 years, whereas applicants from most other countries might wait approximately 2 years.

Processing time and premium options

Standard processing for Form I-140 takes 6-9 months. Nevertheless, premium processing is available for an additional fee of $2,805, reducing the wait to just 15 business days. This expedited service guarantees USCIS will take action—either approving, denying, or requesting additional evidence—within that timeframe.

Costs and who pays them

The financial responsibility is typically split between employer and employee:

- Employer costs: Form I-140 filing fee ($715), PERM labor certification expenses
- Employee costs: Form I-485 adjustment of status fee ($1,440) or consular processing fee ($345), plus USCIS immigrant fee ($235)

Including family members in your application

Your spouse and unmarried children under 21 can receive dependent visas. Spouses may apply for work authorization while awaiting permanent residency.

Changing employers during the process

Ideally, wait until your I-140 has been approved for more than 180 days before switching employers. At this point, your priority date is “locked in” and cannot be revoked even if your original employer withdraws sponsorship.

Conclusion

The EB-3 visa program offers a valuable pathway to permanent residency in the United States for skilled workers, professionals, and unskilled laborers alike. After all, with 40,000 visas available annually, this opportunity provides foreign nationals across various qualification levels the chance to build their future on American soil.

Understanding which category fits your background remains essential for application success. Skilled workers need at least two years of experience, professionals must possess a bachelor’s degree or equivalent, while unskilled workers face longer wait times due to the limited 10,000 visa cap for their category.

The application process certainly requires patience and careful planning. Most importantly, securing labor certification through your employer establishes your priority date—a critical milestone that determines when you can proceed with subsequent steps. Therefore, staying informed about the monthly Visa Bulletin becomes crucial as wait times vary significantly based on your country of origin.

Premium processing offers a faster route for those seeking quicker results, though additional fees apply. Additionally, family members can join your journey to permanent residency, with spouses potentially obtaining work authorization during the waiting period.

The EB-3 visa stands as a straightforward option for those seeking permanent work authorization in the United States. Applicants who understand the qualification requirements, prepare thoroughly for each application stage, and maintain realistic expectations about processing timeframes will position themselves for success. Your American dream might be just an application away—provided you navigate the process with diligence and patience.