



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.¹

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.

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.

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.

FOOTNOTE:

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

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

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Canada:



Beth Nanton
Partner, U.S. Immigration, Practice Leader
Tel. +1 604 691 3316
bnanton@kpmg.ca



Aurélie Espana
Manager, U.S. Immigration
Tel. +1 514-840-8610
aurelieespana@kpmg.ca

** Please note that KPMG LLP (U.S.) does not provide any immigration services or legal services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

The information contained in this newsletter was submitted by the KPMG International member firm in Canada.

© 2020 KPMG LLP, a Canada limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2020 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint ventures. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

Flash Alert is a GMS publication of KPMG LLP’s Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.