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Illegal reimbursements from employees employers beware

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[1]

Submitted by Rajiv S. Khanna on Dec 16th 2010

There was an interesting question in today's community conference call we host every other Thursday. The link to the question is here: <http://forums.immigration.com/showth...onference-Call> [2]

PERM filing issue

I joined XYZ company by taking promise (written email, they said like this: According to our attorneys it looks like based on the role itself it is EB_2 (BS+8). Obviously this is not the official word from USCIS but in their recommendation it would be EB_2) of filing GC in EB2. Before I join here I gave signature that if I leave this company in process of green card I should pay entire money back.

Last week I received email from attorney office saying that they filed my GC in EB3 category, i shocked and gave resignation, now my employer is demanding money.

[I understand from my research] I am not responsible for PERM fee. Can you help me here that still Should I need to pay money whatever my company say because of agreement? If yes, can I demand for receipts for the same?

I got a separate email from attorney that they will charge \$3000 + advertising fee for PERM. can you please help me here.

Please note, folks, employers are NOT permitted to seek reimbursements, directly OR indirectly, for PERM related expenses. I am not sure if these lawyers practice immigration law. If they do, it surprises me that they are trying to claim 'illegal' reimbursements. But may be there is more to this than I have been told. The point I want to make is, certain payments made by employers for both H visas and green cards cannot be collected from the employees. Please be aware of the law.

Green Card:

[Employment Based Green Cards](#) [3]

[EB2 Green Card](#) [4]

[EB3 Green Card](#) [5]

[PERM - Labor Certification](#) [6]

Profession/Occupation:

[Employee](#) [7]

Employers and HR ^[8]

Source URL (retrieved on 20 Sep 2020 - 18:46): <https://immigration.com/blog/employment-based-green-cards-eb2-green-card-eb3-green-card-perm-labor-certification/illegal>

Links:

- [1] <https://immigration.com/blog/employment-based-green-cards-eb2-green-card-eb3-green-card-perm-labor-certification/illegal>
- [2] <http://forums.immigration.com/showthread.php?319304-Thread-OPEN-to-post-questions-for-Dec-16-Conference-Call>
- [3] <https://immigration.com/greencard/green-card/employment-based-green-cards>
- [4] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb2-green-card>
- [5] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb3-green-card>
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