

Missed Opportunity: Outdated Schedule A List Means PERM Processing Delays Continue

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The Department of Labor's (DOL's) [Proposed Rule to add new occupations to the Schedule A list is "dead,"](#) at least for now. Stakeholders see this as a disappointment and a missed opportunity.

- The failure to move forward with this rule is a significant disappointment for many high-skilled immigrants and the employers who need them, all of whom [would have benefited from the streamlined process](#) for obtaining employment-based green cards.
- Considering the [current processing times](#) for PERM Applications – which have ballooned over the past year and currently sit at around 15 months – expanded access to Schedule A would provide improved certainty regarding job opportunities for employers and foreign-born workers alike.

Schedule A list occupations do not require the employer to conduct a labor market test as part of a green card application process because the government has already determined that there are not enough U.S. workers available for these positions – thus simplifying and speeding up the process. Currently, the Schedule A list only includes physical therapists, professional nurses, and individuals of exceptional ability. The list is clearly outdated because there are many occupations, particularly in STEM fields, experiencing a national labor shortage.

The [DOL began its Schedule A initiative](#) with a Request for Information (comments) in December 2023. The goal was to consider how to add more STEM and non-STEM occupations to the list. The comment period was extended, but it seems the rule is not even on the [DOL's list of priorities](#). Those looking for relief will have to wait and see if the Trump Administration decides to pick up this initiative.

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