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THE E-3 VISA SNAPSHOT

THE PROCESS

- ⇒ An approved Labor Condition Application (LCA) must be obtained
- ⇒ LCA takes approximately 2 weeks to approve
- ⇒ Once LCA approved, visa interview can be scheduled
- ⇒ US\$205 filing fee for the visa
- ⇒ There are 10,500 visas available and historically the allocation has not been exhausted [only 5,394 were granted in 2018]

THE ELIGIBILITY

- ⇒ Employee must be Australian
- ⇒ At a minimum the employee must have a Bachelor's degree or its equivalent in work experience (or a combination of both)
- ⇒ The role being advertised for must require the Bachelor's degree at a minimum and the duties of the role must relate to the employee's degree
- ⇒ The job offer must come from an American employer and the employer must agree to pay at least the prevailing wage for the role
- ⇒ The vacancy may be for a full-time or part-time position

THE VISA RIGHTS

- ⇒ The visa is valid for up to 2 years
- ⇒ The visa can be renewed for an indefinite number of times
- ⇒ The visa applicant can sponsor dependent and the applicant's spouse is permitted to also work.

THE RESTRICTIONS

- ⇒ The employee may only work for the E-3 employer sponsor
- ⇒ The employee must not have an intention to migrate to the United States, therefore they should have evidence to suggest they will return to Australia at the expiry of the visa
- ⇒ Visa can be applied for at a US Consulate or Embassy (outside of the USA)