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Bona Fide Reasons for Withdrawal during Supervised Recruitment (SR)

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Submitted by Chief Editor on Nov 19th 2012

Employers may choose to withdraw cases undergoing SR for many reasons, such as the employee terminating his employment, the employee obtaining a green card through other means (such as marriage), or the costs of the required recruitment. In determining any employer-wide consequences of withdrawal during the SR process, does DOL consider the explanation as to why the SR case is being withdrawn? How can an employer best provide an explanation why the SR case is being withdrawn?

ANSWER:

DOL indicates that it does not monitor or track particular reasons for withdrawal. DOL does, however, pay attention to the rate of withdrawal both for individual employers and overall. The withdrawal rate has decreased, but at one point was more than 10%. Such a high rate of withdrawal caused DOL concern. DOL does recognize, however, that there are legitimate reasons why an application might be withdrawn, and will review existing guidance and make changes if appropriate.

Unless the context shows otherwise, all answers here were provided by Rajiv ^[2] and were compiled and reported by our editorial team from comments and blog on immigration.com ^[3]

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