



Prevailing Wage ***E-GRAM #06-01***

Foreign Labor Certification ***Atlanta National Processing Center***

January 9, 2006

Clarification of the Prevailing Wage Validity Period

Validity Period for a Prevailing Wage Determination (PWD)

According to the PERM regulation section § 656.40(c):

Validity period. The SWA must specify the validity period of the prevailing wage, which in no event may be less than 90 days or more than 1 year from the determination date. To use a SWA PWD, employers must file their applications or begin the recruitment required by §§ 656.17 [SIC] or 656.21 within the validity period specified by the SWA.

NOTE: the published regulation refers to section §§ 656.17(d), but citation should refer to §§ 656.17

Employers may submit their PERM application after the validity period of the prevailing wage determination if they begin the recruitment process during the validity period.

Please contact Sharlyn Simon or Peter Marcois at (404) 893-0101 if you have additional questions regarding this Prevailing Wage E-Gram.