Employment Information for International Students

Fall, 2018
Why are you here?

To learn about:

- On-campus work?
- Off-campus work during study?
- Off-campus work following study?
- Long-term work in the U.S.?

All handouts are available on our website at:

http://geo.unm.edu/student_forms.html
Agenda

2:00 to 3:00:
- Overview of Various Employment Issues
- Types of Work Authorization
- On-Campus Work During Study
- Off-Campus Work During Study

3:00 to 4:00:
- Off-Campus Work Following Study
- Things to Consider/Advanced Planning
Cultural Issues

- Resumé writing, job searching and job interviewing are all culturally specific!
- Important to learn the US process for these
- Also varies by field and academia vs. private sector
Cultural Issues

- Get feedback by utilizing UNM Career Services and coming to GEO/Career sessions

- Also check with your department, professors and colleagues

- Get informed before beginning the job search to have the best chance at success!!
Immigration Issues

- International students are in the US for study; work permission/authorization is a privilege and not a right!
- Easier to hire those who don’t need visas
- Work authorization is given for specific categories in the immigration regulations
- You must always have proper authorization to work in the US or risk serious consequences!
Immigration Issues

- Definition of Employment/Work = “compensation for services rendered”
- Terms like “internship,” “practicum,” and “clerkship” are not immigration terms; they refer to types of learning/training positions in the real world, not work authorization
- Work authorization is different according to visa type (F or J); which are YOU??
Tax Issues

- You WILL need to pay federal, state and city taxes on U.S. income
- International students who are non-residents for tax purposes (generally those in the US for less than 5 calendar years) will not have to pay Social Security or Medicare taxes (FICA) even on OPT
- GEO Tax Workshops begin in March
Employment Categories for Those on Student Visas

F-1 Students

“ON CAMPUS”:
“UNM” work only

OTHER WORK:
1. Curricular Practical Training (“CPT”)
2. Optional Practical Training (“OPT”)

J-1 Students

“ON CAMPUS”:
“UNM” work only

OTHER WORK:
1. Academic Training (“AT”)
“On Campus” Employment During Study

J1 and F1 Students
“On Campus” Work Authorization

- Specific employment category in the regulations
- Must be for a UNM entity or for a company that is on UNM campus and provides services to students (e.g., Chartwells)
- Student must be in good academic standing
- Only allowed while enrolled as a student and in legal status (not after program completion)
“On Campus” Work

- Limited to part-time during semester (20 hours or less per week), everybody is eligible!
  
  *(Be Aware: Immigration rules limit international students to 20 hours per week, domestic students can work up to 30 hours)*

- Part-time or full-time *between* semesters as long as you’re enrolled for the following semester

- During breaks and summer: Can be 28 hours for Student Employment or 40 hours for graduates with assistantships if enrolled for classes
“On Campus” Work

- Graduate Student Assistantships - # of hours count toward limit
- Student Employment-International students can NOT apply for “Work Study” jobs (US government funded), but CAN apply for “Student Employment” jobs

For UNM jobs:
https://unmjobs.unm.edu/applicants/jsp/shared/frameset/Frameset.jsp?time=1441379001734

For other food service jobs on UNM campus:
https://compassgroup.jobs/albuquerque/new-mexico/usa/jobs/
“On Campus” Work for J Visa holders

- J1 students are required to report employer name and any changes to GEO (we have to put in SEVIS)

- Letter from sponsor required for J1 students with non-UNM sponsor (e.g., Fulbright)
Additional Work Authorization for Int’l Students working on Campus

- Additional employment hours beyond 20 at a UNM job through other types of work authorization (such as F1-CPT or J1-Academic Training) may be possible.
- Although physically on campus, it has to meet the criteria for other work types in the regulations if you already have 20 hours of “On-campus” work.
- Depends on department; Engineering students are NOT allowed.
Additional **Work Authorization for Int’l Students working on campus**

- To do this, you must meet **all** requirements for and be authorized **IN ADVANCE** by GEO

- This allows you to have 20 hours per week under the “**on-campus employment**” regulations and **8 to 10 additional hours** under another type of employment permission (**CPT** for F1 or **Academic Training** for J1) in a job related to your major

- You are limited to 28 hours (student employment) or 30 hours (assistantships) of total work at UNM during Fall & Spring semesters because of UNM Student Employment rules
Other Types of Employment Before Program Completion

**CO-OP**, Internships or Practicums

J1 and F1 Students
Work Before Program Completion

- Both F and J students can be authorized for other work (in addition to “on campus” employment) during their studies.
- This can be authorized after 2 semesters of study for F1 students and 1 semester for J1 students.
- The location of this work (on or off campus) is not relevant.
- To be authorized, the work has to be in your field of study.
Work Before Program Completion

- You must apply for “Co-op” (Cooperative Education) via UNM Career Services or enroll in an internship or practicum course offered by your department.
- Be Aware: The course CAN’T be “Independent Study” or “Project.”
- If there is no course enrollment, you cannot be authorized UNLESS your degree program requires an internship.
Co-op is an actual course offered by the Career Services Office (zero credit hours, appears on your transcript and NO COST for international students)

- Co-op has requirements and is taken for credit/no credit (C/NC)
- You have to complete the Co-op requirements and see a GEO advisor in order for the work to be legal!

- Sign-up deadline is 6th week of fall/spring semesters and 2nd week of summer (late fee if you register after the add date for the course).
Work Before Program Completion

- This work can be authorized for ONLY 20 hours per week during fall and spring.
- 28 hrs (student employment) or 40 hrs (assistantships) ONLY during the summer and winter break and you have to be enrolled for the following semester.
- You must be authorized by a GEO advisor (new I-20 issued with authorization on pg 3) BEFORE you can begin work or the work is illegal!
- GEO advisors can only authorize after you have applied for Co-op or have enrolled in an “internship” or “practicum” course.
Work Before Program Completion

- The process can take some time, so apply as soon as possible (exchange students need approval from home school)
- You MUST enroll EVERY semester and have the work authorization indicated on your I-20 for F-1 students or DS2019 for J-1 before your employment start date
- If you wish to have employment authorization every semester, you need to process paperwork before the end of each semester and before your current authorization expires)!!!!
Curricular Practical Training (CPT)

CPT Via Co-op Requirements:

REMEMBER:
- You can only work for the dates specified in the authorization! You have to be **REAUTHORIZED EACH SEMESTER!**
- You can only work for the employer listed!
- You must complete Co-op 105 class and **RECEIVE CREDIT FOR THE CLASS** for the work to be LEGAL and to get it again!!!
Process Begins with getting job, applying for CPT or AT & signing up for Co-Op Education Program Course. GEO then processes CPT I-20/Academic Training DS2019 after student has enrolled in Co-Op Course and has a job offer.

Student may begin working when CPT-I20/DS2019 with job site and PT/FT authorization is indicated on document.
Cooperative Education

- Available to grads and undergrads
- Directly links paid work assignment to academic experience
- Reflected on transcript but not credit-bearing
- Student responsible for securing job positions
- Career Services manages the administrative process
Curricular Practical Training (CPT)

Example of “CPT” via CO-OP

In his second year of his MBA program Yu has secured a paid part-time internship at an Albuquerque firm “Duke City Enterprises” for the Spring semester. His plans are finalized by December 10th and he plans to begin the internship on January 21st. He completes the CO-OP paperwork at the end of the Fall semester and enrolls in the CO-OP course for the Spring semester. He comes in to meet with the International Advisor in GEO on January 6th. Yu brings his CO-OP Learning Agreement.

The advisor authorizes this part-time, for-credit “CPT” at Duke City Enterprises in SEVIS. Yu returns the next day to pick up the new I-20 indicating the CPT employer and work dates and begins work as scheduled on January 21st.
Curricular Practical Training (CPT)

ANY CPT Questions???

Remember:

You must apply for Co-op in order to get Curricular Practical Training (CPT) authorization
Work Authorization for J1s

J1 Students Only!
“ACADEMIC TRAINING” Work Authorization
“Academic Training” = only type of work authorization for J-1 students (for Non-UNM work or over 20 hrs for UNM during the semester)

Amount of time different depending on degree

- **Non-degree** (e.g., exchange): allowed only for same length of time as the academic program
- **Bachelor’s and Master’s**: 18 months max (unless program is shorter)
- **PhD**: 36 month max (18 months only before graduation)

All work (part-time and full-time) accumulates at a full-time rate toward the maximum
J1 Academic Training

- Need to complete one semester of enrollment
- Be in good academic standing
- GEO (or outside sponsor) permission and advisor recommendation in advance in writing
- Primary purpose in U.S. must be for study
- Only in your field of study!!
- Pre- or post-graduation work allowed
- AUTHORIZATION MUST BE ON DS-2019!
J1 Academic Training

- Each work experience authorized for each employer and for specific dates
- Must have a job offer
- If before completion of studies, you must enroll in CO-OP, an internship course, or the internship must be REQUIRED for your degree
- If after study, it MUST be authorized before you complete your program or you are no longer eligible
J1 Academic Training

- Talk to a GEO advisor if your program is about to end and you are still looking for employment!
- GEO advisor authorizes the work, you do not need to apply to immigration!
- Process will take some time, so you need to try to plan as far in advance as possible
This concludes the work during study section of this workshop.

If you are in F-1 student status and are interested in work authorization following completion of your academic program, the second half of this workshop will cover OPT and work after study.
What is OPT?

- Optional work permission eligible to F1 students who qualify
- Intended to be temporary work in your field of study
- Allowed for 12 months per academic level
- Students in certain STEM disciplines may qualify for a 24-month extension
Optional Practical Training (OPT)

Why would I do OPT?
- Opportunity to get experience in your field of study
- Can lead to a permanent position
- Gives employer time to apply for a more permanent type of work permission for you
Optional Practical Training (OPT)

What are the requirements for OPT?

- You do NOT need a job offer to apply
- You must have completed all coursework (but not necessary to graduate or complete thesis/dissertation) for post-completion OPT
- Work must be in your field of study only!
Optional Practical Training (OPT)

When do I apply?

- OPT often takes 3 months (and sometimes longer) to authorize, so you should apply 3 months before you plan to start work (you may NOT apply more than 90 days before your program completion date)
- Applications are long and must be sent and processed by USCIS before work can begin
- The date the OPT authorization begins can be up to 60 days after last final exam or degree requirement (you set the start date)
Optional Practical Training (OPT)

Can I get OPT again if I do another degree?

- Students who are authorized for OPT at one level, must **complete** a higher level program to get OPT again
Optional Practical Training (OPT)

How do I apply for OPT?

- Read the OPT Handout thoroughly and watch the OPT video (found on GEO Website geo.unm.edu)
- Follow the steps and when you get to step 4...Make an appointment to see a GEO advisor to apply; bring your advisor’s recommendation, transcript, I-94, passport and previous I-20’s (OPT appointments take approximately 2 hours and are offered on Monday mornings and Wednesday afternoons)
There are 2 types of OPT, “pre-completion” or “post-completion”.

“Post-completion” OPT is almost always recommended at UNM (due to the availability of pre-completion CPT) and will be the scope of this presentation.
Optional Practical Training (OPT)

What if I am still working on my thesis or dissertation?

- If you have completed all requirements except for your thesis or dissertation, you can choose to apply for OPT while completing that final requirement.

- You can try CPT if work is full-time in summer and part-time during semesters.
Optional Practical Training (OPT)

How do I apply for OPT?

- After the OPT appointment, the GEO advisor processes the recommendation and you return to pick up and sign the new I-20 (you will keep the original and send a copy to USCIS)

- Send the application for OPT to USCIS within 30 days of getting the new I-20 with the OPT recommendation and wait for the authorization to arrive (EAD card). It takes approximately 3 months and can not be expedited.
Optional Practical Training (OPT)

What start date should I request?

- You have to guess the most likely date you will start working (hard to know)
- Start date MUST be within 60 days of program completion
- Date can essentially not be changed when chosen
THIS FORM MUST BE COMPLETED AND SIGNED BY THE F-1 STUDENT SEEKING OPTIMAL PRACTICAL TRAINING AND RETURNED TO THE INTERNATIONAL ADVISOR.

A. I understand the work I perform must be directly related to my major(s)/field of study and it must be appropriate for someone having my level of education. I further understand that I do not need to have a specific job offer at the time of OPT application. However, I expect that if I get a position for OPT it will be in: ____________________________________________________________.

(List all your UNM major(s) and minors(s) here)

B. I am requesting my OPT be for the dates below. I understand OPT authorization is limited to a total of 12 months per educational level and that OPT permission is automatically terminated if I transfer to another school or start studying at another educational level. This OPT is being requested as: □ Pre-completion OPT □ Post-completion OPT

C. You WILL accrue days of unemployment toward the 90 day limit, so whether or not you have a job offer should be a consideration when selecting your OPT start date.

Beginning date: ___________ Ending date: ___________ Full time / Part time (20 hours or less) (circle one)

__________________________
Name of Student

__________________________
Name of International Advisor

__________________________ Date
Signature of Student

__________________________ Date
Signature of International Advisor
When can I start working?

- Work is ONLY authorized when you receive the Employment Authorization Document ("EAD") and the start date on the card has been reached.

- You must have the EAD before you can work.
Optional Practical Training (OPT)

What Counts as Employment?

- Things that count as “employment”: (must be more than 20 hours)
  - Regular employment/job in your field
  - Multiple short-term “gigs” in time period in your field
  - Self-employment in your field
  - Volunteer work in your field
Optional Practical Training (OPT)

**What if I Don’t Find a Job?**

- You do NOT need a job to **apply**, but you cannot accrue more than 90 days of unemployment while in post-completion OPT.
- Students must be “employed” in their field of study for 20 hours or more in order not to accrue days of unemployment.
- Students who accrue more than 90 days of unemployment while on post-completion OPT are technically out of status.
Optional Practical Training (OPT)

Example of “OPT”

Mina is finishing the Master’s in Computer Science in May and hopes to work in the US before returning to her home country. While she hopes to have a job in her field, she has not yet located a position. In February, she gets the recommendation from her academic advisor and makes an appointment to meet with the GEO advisor. Working together, they complete the forms to apply for an EAD card authorizing Mina to begin OPT employment on June 15. Mina mails the application to USCIS on February 28. In March, she finds a great job in San Francisco. Her EAD card arrives on June 1. She moves to San Francisco to begin work on June 15 per her agreement with her new company.
Optional Practical Training (OPT)

Can I Extend the 12 month period?

There are two possible types of extension:

1. **“Cap Gap”:** If your employer applies for an H1B for you before your OPT ends, you may be eligible for “cap gap” to work until the H1B starts.

2. **“STEM Extension”:** STEM disciplines with E-verify employer may be able to extend for 24 months.
Optional Practical Training (OPT)

How can I get a “Cap Gap” Extension?

- Extension only available if H1 application is in process between April 1 and October 1
- For Cap Gap you must have proof of receipt of H1B application by USCIS (contact GEO if you want an I-20 for travel)
- If Not Selected for H, Cap Gap ends
- If Waitlisted, Cap Gap is a little longer until decision is made
- If Selected, Cap Gap extends the OPT until the H starts on October 1
Optional Practical Training (OPT)

How Can I Get a STEM Extension?
(Science, Technology, Engineering, Math)

- Students who are in specific STEM disciplines can apply for a 24-month OPT extension if they meet requirements
- Discipline listed on I-20 must be on STEM CIP list
- OPT must be “post-completion”
- Student must have employment in their field
- Employer must participate in E-Verify and complete an “I-983 Training Plan”
- Application must be received BEFORE current OPT expires
Optional Practical Training (OPT)

Does taking CPT affect OPT?

- Only if you are authorized for more than 12 months of full-time CPT
- If you take less than 12 months of full-time CPT, you get all your OPT
- Part-time CPT does NOT affect OPT
Optional Practical Training (OPT)

What status am I in while on OPT?

You are still in F-1 status, so you need all your previous F-1 documents to travel and re-enter the US:

- Passport
- I-20 with signature less than 6 months old
- F-1 visa

You also need:

- EAD
- Letter proving employment in your field if you want to exit the US and reenter
Optional Practical Training (OPT)

What status am I in while on OPT?

- **F1**: UNM continues to be your sponsor and GEO continues to manage your immigration documents
- Bring or send copy of EAD card to GEO as soon as you receive it
- Always update your SEVP portal with address changes, name changes, employer changes, changes in immigration status or if you leave the U.S.
- Follow messages from our office for changes in the upcoming year
Optional Practical Training (OPT)

Travel Restrictions

- Not safe to travel after you complete your program if the EAD application is in process.
- Not safe to travel while on OPT unless you have the EAD (card), signed I-20, valid visa AND you have a specific job to return to in your field (need a letter proving job listed on I-20).
- If you do not have all of these, you may NOT be allowed to return.
- Not safe to travel if H1 (or PR) is in process.
Requirements while on OPT

Study Restrictions/Issues

- Authorization to engage in OPT is automatically terminated when you transfer to another school or begin study at another educational level!

- New 12 month period of OPT can be authorized after each educational level (but must be a HIGHER level)
Optional Practical Training (OPT)

What options are there after OPT?

- Other types of work status include: H1B, J1, TN (Mexico/Canada), L and E
- Special work status for some countries
- Most common is H1B, “Temporary worker – Specialty Occupations”
- Employers that are not “Public Research Institutions” are subject to a limit or “cap” on the number of visas
Optional Practical Training (OPT)

What options are there after OPT?

- Work visa session offered every semester by an immigration attorney:
  
  “Work Visas and Long-term Work in the US”

  FRIDAY, November 9, 2018, 2:00-4:00pm

- Free consultations with an immigration attorney
Optional Practical Training (OPT)

What happens if my OPT ends before my H1 starts, again?

- Students who have been approved for H1B status can get “Cap Gap” extension if:
  - OPT is “post-completion”
  - H1B is in process between 4/1 and 10/1
“Words for the Wise”

Apply for work permission EARLY!!!

- Students MUST plan and apply in advance in order NOT to jeopardize your ability to work in the US or remain here legally!
- Should begin OPT forms 3-4 months before completing your program if you plan to work and ask advisors questions even earlier!
- Don’t wait for the “H” visa – it can be a long process so you can be “stuck” with no work eligibility.
“Words for the Wise”

Plan Your Program Completion

- Consider your program completion date carefully with any work in mind.

- Your advisors may be able to work with you on the date of completion to make it convenient to transition to work.

- Don’t plan to travel out of the US at the end of your program if you are applying for work.
“Words for the Wise”

Other things to consider

- J visa holders subject to the 2-year home residency requirement can not change to H without waiver

- There may be some tax advantages to remaining in F-1 status; also, F1 is NOT employer-specific
Checklist for Off Campus Work

1. Understand your visa type and work authorization
2. Read GEO handouts thoroughly and carefully!!!!
3. Utilize Career resources on campus
4. Identify appropriate job opportunities in your field
5. Obtain written permission from your department
6. Meet with an Advisor in GEO EARLY!
7. Do not begin work without authorization
8. Provide documents to your employer
9. Check with GEO re: travel restrictions while applying for work permission and while working
10. Maintain contact with GEO while working!
Engineering and business career fairs are next Wednesday & Thursday!

For more information:

https://career.unm.edu/employers/career-fairs-events.html
Sign up for “HANDSHAKE”

- “Handshake” is a job/internship platform for UNM students and alumni with over 4,000 jobs/internships currently listed

- Sign up by clicking on the “handshake” logo at:

  https://career.unm.edu/
Thank you for coming. Good luck applying your education and skills to working in the U.S.!