Optional Practical Training (OPT)

OPT Work Permission for F-1 Students Completing in Spring 2016
Optional Practical Training

READ THE OPT HANDOUT!

Today we will:
• Outline OPT Basics
• Review Application Process & Timing
• Discuss work options in US after OPT (H-1B, etc.)
• Questions?
OPT

OPT is temporary employment for practical training directly related to the student's major area of study.

- **Types of OPT:**
  - Pre-completion
  - Post-completion
  - STEM extension

- **Part-time or Full-time**
  - Always full-time after completion of requirements for degree
Practical Considerations

• During OPT period:
  – You remain in F-1 status
  • OPT is not a status, it is a benefit
  – CMU holds your SEVIS record
  – OIE still your advisors/visa sponsor!
OPT Usage

• 12 months per **advanced** degree level
  – Can’t have another 12 months of OPT after 2^{nd} Master’s

• You choose dates...within limits
  – Once it’s granted, it’s “used”
  – Date to begin can be after program is completed... and/or up to 60 days after that
Employment

• What work can you do on OPT?
  – Any
    • related to YOUR field and level of study
    • Paid, unpaid, volunteer, contract
    • Job title \textit{doesn’t} matter…
    • Nature of work \textit{does}

– No job offer needed to apply
F-1: Optional Practical Training

It’s a 3 part process:

1. Your department
   Certifies your expectancy to graduate

2. OIE
   Recommends OPT in SEVIS and issues the OPT I-20

3. USCIS
   Adjudicates your application

$380 fee and up to 90 day processing time
The goal is your Employment Authorization Document (EAD)
You can only legally work in the U.S. when:

• You have received EAD
• Within valid dates on EAD
Program completion date = Last day of work at CMU
The Application Process

Important timelines!!

USCIS must receive your OPT application OR OPT WILL BE DENIED:

- No more than 90 days BEFORE program completion date
- No more than 60 days AFTER program completion date
- OPT I-20 no more than 30 days old
OPT Denial

If OPT is denied before 60 day grace period ends, it MAY be possible to apply again.

If OPT is denied after 60 day grace period, the benefit would be forfeited.
The Application Process
Filing from within the U.S.

• F-1 students have a 60 day grace period that starts if you do not apply for OPT.

• If you leave the U.S. **before** filing for OPT after your program completion, you forfeit the benefit.
# The Application Process

## TWO Part System:

<table>
<thead>
<tr>
<th>Step 1. Recommendation</th>
<th>Step 2. Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed by your advisor &amp; submitted to OIE</td>
<td>Mail to USCIS</td>
</tr>
<tr>
<td>Goal: new I-20 with OPT recommendation</td>
<td>Goal: EAD card</td>
</tr>
<tr>
<td>I-20 TIME: 5 business days at OIE</td>
<td>APPROVAL TIME: Up to 90 days</td>
</tr>
</tbody>
</table>
The Application Process: Advisor’s Form

Optional Practical Training (OPT) Recommendation Form

To: Student OPT Applicant
Complete the following information. The OIE advisor will use the information you provide to recommend your OPT. If you do not know the answer to the question, leave it blank and the advisor will assist you during the OPT session.

Name: ___________________________ Date of birth (mm/dd/yyyy): __________________
(Family) (First)

Andrew ID: ___________________________ Non-Andrew e-mail: ___________________________

Address*: ___________________________ (Street) ___________________________ (City) ___________________________ (State & Zip Code)

*Address must also be updated in SIO! This does not have to be the address that you’ll use to receive the EAD.

☐ Check here if you have a secondary MAJOR or are in a dual degree program.

OPT Start Date: ___________________________ OPT End Date: ___________________________

Full-time or Part-time: ___________________________ Passport Expiration (mm/dd/yyyy): ___________________________

Check one: ☐ WILL ☐ WILL NOT directly relate to my field of study/degree program.

Have you applied for OPT before?: ☐ No ☐ Yes If yes, Educational Level (circle) Bachelor’s Master’s PhD

I attended an OPT session on _________ (date) conducted by ___________________________ (OIE advisor name).
The Application Process: Advisor’s Form

This information must be completed and signed by the academic advisor or department coordinator, not by the student.

This is to certify that _________________________ is expected to complete all requirements for the degree on _________________________.

5/15/2016 and will receive the degree of _________________________ in the field or major of _________________________.

(Date: mm/dd/yyyy) *actual completion-not end of month

(Level)

(Field of Study)

(Name of Academic Advisor or Authorized Department Personnel—Please Print)

(Signature of Academic Advisor or Authorized Department Personnel)

(Telephone Number and/or email address)

(Date)

Updated 9/2013

Your academic advisor completes this section. OPT cannot begin before this date.

Office of International Education
PhD Students: Potential End Dates

- Date of defense
- Date corrections will be completed
- Date you turn in dissertation and committee signs off
- OR Employment start date (if you have passed the qualifiers)
## Completion Date on I-20

**PROGRAM OF STUDY**

<table>
<thead>
<tr>
<th>EDUCATION LEVEL</th>
<th>MAJOR 1</th>
<th>MAJOR 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOCTORATE</td>
<td>Civil Engineering, General 14.0801</td>
<td>None 00.0000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NORMAL PROGRAM LENGTH</th>
<th>PROGRAM ENGLISH PROFICIENCY</th>
<th>ENGLISH PROFICIENCY NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>56 Months</td>
<td>Required</td>
<td>Student is proficient</td>
</tr>
</tbody>
</table>

**PROGRAM START DATE**

29 AUGUST 2011

**PROGRAM END DATE**

15 MAY 2016

New end date = advisor’s end date

(I-20 page 1)
Program completion date (date in section 5 of I-20) = Last day of work at CMU
Choosing your OPT start date

BASED ON YOUR COMPLETION DATE

START DATE:

• Can be the day after program completion

OR

• Up to 60 calendar days after that

• NO MORE THAN 60 DAYS!

START DATE

5/15/2016

5/16/2016

7/14/2016
Benefits/Disadvantages in choosing start date:

• Early start:
  • Work permission right after completion
  • On-campus work continues

• Late start:
  • Good if no job offer
  • Won’t cut into days of unemployment (90 days)
  • Consider travel plans
90 Days of Unemployment Rule

You may not accrue more than 90 days of unemployment during the 12 months of OPT...if more than 90 days, OPT and F status ends.

Employment (for SEVP) =

• paid FT
• paid PT (20 hours)
• unpaid FT
• unpaid PT (20 hours)

IMPORTANT: Unpaid work is acceptable by USCIS but unless it’s truly “volunteer” work, there could be problems with US labor law!
Choosing your OPT end date

• Start date plus 1 year...or less
• ex: Start date = 5/18/2016
  End date = 5/17/2017
• If you choose less than 12 months, OPT cannot be extended!
• To “redeem” remainder of 12 months, you must go back to school, complete another program (at same level) and reapply for OPT.
The Application Process: OPT Dates

• CAREFUL! CAN’T CHANGE OPT DATES

• OPT pending? Status is fine to stay in the US...but NO WORK without EAD!
Submit OPT Recommendation Form

- Completed Advisor’s Form...
  - Turn in today
  - Drop off at OIE front desk

- OPT I-20 ready in 5 business days

- No email reminder sent
OPT I-20: The 30 day rule!!

• OPT application **must be received by USCIS within 30 days of the date your OPT I-20 is issued.**

• Be ready to file when you turn in your request!

• **I-20 more than 30 days past issuance date = OPT DENIED!**
**EMPLOYMENT AUTHORIZATION**

<table>
<thead>
<tr>
<th>EMPLOYMENT STATUS</th>
<th>TYPE</th>
</tr>
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<tbody>
<tr>
<td>REQUESTED - FULL TIME</td>
<td>POST-COMPLETION OPT</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EMPLOYMENT START DATE</th>
<th>EMPLOYMENT END DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 JANUARY 2016</td>
<td>4 JANUARY 2017</td>
</tr>
</tbody>
</table>

**COMMENTS**

- Full-time OPT recommended in the field of Language Technologies for the recommended dates above OR 12 months from adjudication, whichever is later. Seeking to gain practical experience in the field.

**TRAVEL ENDORSEMENT**

This page when properly endorsed, may be used for reentry of the student to attend the same school after a temporary absence from the United States. Each certification signature is valid for one year.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>SIGNATURE</th>
<th>DATE ISSUED</th>
<th>PLACE ISSUED</th>
</tr>
</thead>
<tbody>
<tr>
<td>CARLY DEVENBURGH</td>
<td>FOREIGN STUDENT/SCHOLAR ADVISOR</td>
<td>obrigado 180</td>
<td>7-2-2015</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>x</td>
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</table>
EADs issued after start date requested

If you request dates 5/18/2016 to 5/17/2017 and immigration does not process your card until 6/1/16, your EAD will have dates 6/1/16 to 5/31/17.

No work until card received and you are within start and end dates on card!
Timing of your application

• Be aware of processing times:
  • Up to 90 days to be approved...
    ..or longer if application is returned, something is missing, etc.
  • Cannot expedite OPT!! Trying can slow the process!
What do I include with my application?

Include ALL Materials on PAGE 1 in OPT handout.
What do I include?

✓ **G-1145** form
✓ Check for $380 (payable to U.S. Department of Homeland Security)
✓ Two U.S. passport-sized photos
✓ Completed, signed **I-765** form
✓ Copies of all I-20s issued to you
✓ Copy of passport
✓ Copy of F-1 visa stamp
✓ Copy of I-94 record ([www.cbp.gov/i94](http://www.cbp.gov/i94))
✓ Copy of previous EAD (if you’ve applied for OPT before)

**Items are listed on page 1 of the OPT handout!!**
G-1145 Form

- Applicant/Petitioner Full Last Name: Carnegie
- Applicant/Petitioner Full First Name: Andrew
- Applicant/Petitioner Full Middle Name: 

- E-mail Address: oie@andrew.cmu.edu
- Mobile Phone Number (Text Message): 412-268-5231

- G-1145 - first page of application
- Free to file
- More like 1-2 weeks...
- Disregard form expiration date – be sure to download from uscis.gov

When Will I Be Notified?
USCIS will notify you within 24 hours of accepting your immigration form(s).

Form G-1145
OMB No. 1615-0109
Expires 09/30/2014
Preparing your check

US Department of Homeland Security

Three hundred eighty and 00/100

OPT application

sign your name here

Pay to the Order of

Date mm/dd/yyyy

YOUR NAME
123 YOUR STREET
YOUR CITY STATE ZIP
(123)456-7890

YOUR FINANCIAL INSTITUTION
ANYTOWN, USA

$380.00
Preparing your check

Leave the back **BLANK**
Preparing your application: Photos

• Write your name AND I-94 # on back
• Make sure they are the **correct size**!
Preparing your application: Tip

You can include your check & photos in marked white envelope: attach to application – don’t staple photos!
Form I-765


• Complete online – form fillable pdf
• USCIS uses machine readable scanner
Check the box: “Permission to accept employment!”
Office of International Education

I-765 Form

- Be careful of address!
- Where will you be in 90 days?
- No forwarding by USPS

If using OIE address:
5000 Forbes Ave
Intl Education
Pittsburgh PA 15213
Write in I-94 #
www.cbp.gov/i94

Refer to your latest port of entry stamp in passport

Sign within lines in dark blue ink

Post completion OPT code: (c)(3)(B)
Required photocopies of documents

- I-94 printout (www.cbp.gov/i94) or White I-94 card (front & back)
- Photo page of passport
- Most recent F-1 visa stamp
- ALL I-20s ever issued (including OPT)
  - Sign all I-20s in item #11
Optional Cover Letter

Cover letter **not required**, unless something is missing or further explanation is required:
- Missing I-20 (check your records then contact your school)
- Missing EAD

No template: Just “To whom it may concern:”
Dependents in F-2 Status

• F-2 dependents **will** receive a new I-20
• F-2 documents not submitted in application
• F-2 **travel** during OPT
  • Use new I-20
  • Carry copies of F-1 OPT I-20, EAD card, job offer letter
Make a copy!!

Make a copy of your complete OPT application for your records!
Mailing your Application: FedEx/UPS

On I-765 (#3), if you use an address in:
Alabama, Arkansas, Connecticut, Delaware, DC, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, West Virginia

<table>
<thead>
<tr>
<th>USCIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attn: AOS</td>
</tr>
<tr>
<td>2501 S. State Hwy. 121 Business Suite 400</td>
</tr>
<tr>
<td>Lewisville, TX 75067</td>
</tr>
</tbody>
</table>
Mailing your Application: FedEx/UPS

On I-765 (#3), if you use an address in:


USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034
Collecting EAD Card

• Address
  • If you used OIE’s address, we will email you as soon as your OPT card arrives in the office. Do not call!

• Complete OIE’s Mail Request form before leaving Pittsburgh

• Arrange for a friend to collect EAD
The waiting game: Next steps

You should receive from USCIS:

1) Text message or email with case number (within about a week)
2) Receipt Notice (within 4 weeks)
3) Approval Notice (up to 90 days)
4) EAD card (up to 90 days)
Case Status Online: [www.uscis.gov](http://www.uscis.gov)

On November 3, 2014, we received your Form I-765, Application for Employment Authorization, Receipt Number EAC: [REDACTED], and sent you the receipt notice that describes how we will process your case. Please follow the instructions in the notice. If you do not receive your receipt notice by December 3, 2014, please call Customer Service at 1-800-375-5283. If you move, go to [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) to give us your new mailing address.
Collecting EAD Card from OIE

USCIS

Squirrel Hill

CMU

OIE

Office of International Education
Reporting requirements

Report ANY changes in employer/address to the OIE portal:

Keeping records & maintaining status

Job **must** be related to level & field of study at CMU

Keep documentation of employment for **your** records:

- Employer/company
- Employer address
- # hours per week
- Job description
- Supervisor contact info
Keeping records

• Paid work: Paystubs, W-2 forms, etc.

• Unpaid work: Employer letters
  • NOTE: Employer MAY NOT be able to write letter for unpaid work – check before starting job!

For more information, refer to OPT Policy Guidance
http://www.nafsa.org/uploadedFiles/opt_policy_guidance_042010.pdf
Remember the 90 day unemployment rule

You may not accrue more than 90 days of unemployment during the 12 months of OPT...if more than 90 days, your SEVIS record will be terminated. OPT and F status ends.

Employment (for SEVP) =

• paid FT
• paid PT (20 hours)
• unpaid FT
• unpaid PT (20 hours)

http://www.nafsa.org/uploadedFiles/opt_policy_guidance_042010.pdf

IMPORTANT: Unpaid work is acceptable by USCIS but unless it’s truly “volunteer” work, there could be problems with US labor law!
Travel Issues on OPT

• ALWAYS TRAVEL WITH:
  - ✔️ Passport
  - ✔️ OPT I-20
    - • travel signature (< 12 months)
  - ✔️ F-1 visa sticker
    - • Valid AND unexpired (for re-entry)...except for Canadians
  - ✔️ EAD
  - ✔️ Job Offer Letter
OPT Travel Issues Continued

• EAD says not valid for re-entry!
  – don’t worry, this means it’s not valid for re-entry alone

• Canada and Mexico + adjacent islands?
  – 30-day exception for expired US visa
  – *unless you apply for and are denied a US visa*

• Do NOT Enter as a tourist!! Will end OPT!
Travel Issues Continued

• **H-1B application pending?**
  – CONSULT your H employer!

• **Travel questions** (need a new visa, etc.)?
  – Consult an OIE advisor
Options after your initial 12 months of OPT expire

• 17-month STEM Extension
• H-1B Temporary Work Visa
17-month STEM Extension

- Am I eligible?
  - Based on categorization with USCIS/CMU AND employer e-verify status

- STEM code list
  http://www.ice.gov/sevis/stemlist.htm
17-month STEM Extension

Am I eligible?

To be eligible you MUST:

1. have your most recent degree in a STEM designated field
2. be in the initial 12 month OPT period
3. have a job or job offer with an e-verify employer
17-month STEM Extension

How do you apply?
Submit a **17-month extension request** to OIE
Can be done remotely!

Mail STEM application to USCIS
Must reach USCIS before end of 12 month OPT period!
H-1B Temporary Work Visa

• Private Sector:
  – H-1B effective start date is Oct 1st
  – The H-1B “CAP” or quota
    • 65,000 annually available to employers April 1st
      (6 months in advance)
    • 20,000 additional H-1B spaces set aside for advanced degree holders

• Universities not subject to Cap
  – University employers can apply at any time for any start date
H-1B / OPT Timeline

FY 16 H-1B FILING OPENS 4/1/16

H-1B START DATE 10/1/16

FY 17 H-1 FILING OPENS 4/1/17 - YOU APPLY

YOUR H-1B START DATE 10/1/17

END OF SPRING TERM 5/15/16

OPT START DATE 6/1/16

OPT ENDS 5/31/17

Cap Gap
Cap-Gap Extension

If H is timely filed
(between 4/1 and end of your OPT)...

• OPT AUTOMATICALLY extends from end of your OPT to 9/30/2016

• If your employer wants new I-20...email OIE
  – We need a copy of your H approval notice
H-1B vs. OPT

• OPT is *based on your degree*.
  – If you don’t like your job, you can start working somewhere else using your OPT.

• H-1B is directly linked to your employer.
  – If you don’t like your job and decide to quit, you will have no status.
  – Once H is approved, OPT is ended and F-1 is complete.
DON’T FORGET TO SIGN IN!!

Office of International Education
Warner Hall, 3rd Floor
Office hours: Monday-Friday, 8:30-5:00
412-268-5231
www.cmu.edu/oie
oie@andrew.cmu.edu