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Employment Authorization for F-1 & J-1 Students: An Overview

Presentation Outline

- Employment vs. Volunteering
- On and Off-Campus Employment
  - J-1 students
    - Academic Training
- On and Off-Campus Employment
  - F-1 Students
    - Curricular Practical Training
    - Optional Practical Training
      - Pre-Completion OPT
      - Post- Completion OPT
      - STEM Extension
      - Cap-Gap Extension

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What Is Employment?

Department of Homeland Security defines an employee as "An individual who provides services or labor for an employer for wages or other remuneration". Remuneration can include housing, food, gifts, etc.

Any off-campus employment for F-1 or J-1 students must be authorized!

8 CFR 214.1(e): "A nonimmigrant who is permitted to engage in employment may engage only in such employment **as has been authorized**. Any unauthorized employment by a nonimmigrant constitutes a failure to maintain status..."

Do I need authorization for volunteering or internships?

Volunteering is NOT simply working without getting paid!
To be considered volunteering, the work performed by the individual must meet the following criteria:

- No compensation or expectation of compensation
- The volunteer cannot displace a genuine employee, and the services provided by the volunteer should not be the same services for which he or she was previously paid and/or expects to be hired and paid for in the future
- Services are performed for a non-profit organization for public service, religious or humanitarian objective, and
- Employees may not volunteer services to **for-profit** private sector employers.

For more information, see Volunteering - OIE

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CPDC: Why does this matter from a Professional Perspective?

- **Experience** on a resume implies employment. If the information you have included in an **experience** section is not in fact employment, then you should rename that section to more accurately reflect the nature of the entry.
- Experiences on a resume should not be misrepresented.
- Common additional sections include Projects, Activities, Volunteer Work, Extracurricular Experience, and Additional Experience.

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J-1 Students: On and Off-Campus Employment Authorization

Important! If CMU did NOT issue your DS-2019 Document, contact your J Program Sponsor for information about employment authorization!

On-Campus Employment

- On-Campus employment is defined as working for CMU or for one of CMU vendors (food service), and can only be 20 hours or less during an academic term (i.e. fall/spring)
- The Office of International Education (OIE) is required to document on-campus student employment for J-1 students in the SEVIS system
- Therefore, if CMU is your J-1 sponsor and you are working on-campus, visit the OIE website and complete the J-1 On-Campus Employment Form

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Off Campus: Academic Training

J-1

AT is authorization for **off campus** work, training, or experience related to a student's field of study.

AT is available both **before and after** completion of your degree program.

Eligibility requirements:

- The work is an integral part of your academic program
- You must have a job/training offer at the time of application.
- Employment/training takes place with the specific employer(s) noted on the AT authorization
- Authorization must be processed **before** your official academic program completion date
- Post-completion AT must begin within the first 30 days after program completion date and must be for a paid position

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Length of Academic Training

J-1

- For most students: 18 months total (whether before or after completion of studies)
- The total employment/training period may not exceed the amount of time spent in full course of study
  - e.g., a Master's student who completed a program in 12 months, is only eligible for 12 months of academic training
- PhD students are eligible for 36 months of AT
- Degree seeking STEM undergraduate and master's students may be eligible for academic training extension

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Academic Training Application Process

J-1

- Job offer letter required!
- Academic advisor recommendation form (pictured)
- Authorization is issued by OIE
- No fee

For more information about Academic Training:

Go to OIE website

CPDC: J-1 Student Employment

- **On-Campus employment** should be listed on your resume, particularly if you are working as a Course Assistant, Teaching Assistant, or Research Assistant.
- List **title** correctly—confirm with your supervisor.
- Once **Academic Training (AT)** has been obtained and the date has started, then off-campus employment can be listed on resume once opportunity has started.

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F-1 Students: On and Off-Campus Employment Authorization Overview

On-Campus Employment

- No special authorization is necessary **(on-campus employment only)**

- On-Campus is defined as working for CMU or for one of CMU (food service) vendors, and can only be 20 hours per week or less during an academic term (i.e. fall/spring)

- IMPORTANT: On-campus work authorization ends on current I-20 program end date or when program is completed, whichever comes first!

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CPDC: F-1 On-Campus Employment

- **On-campus employment** can be listed on a resume.
- Be accurate with **titles** and be sure it is listed in the appropriate **section** (Professional Experience, Research Experience, etc).
- Do not list it on resume until experience **has started.**
  - Note: **Part-time** has different meanings:
    - Immigration=20 hours or less
    - Employers=definition varies

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Off-Campus Employment Authorization:

F-1

- **F-1 Students**
  - Curricular Practical Training (CPT)
  - Optional Practical Training (OPT)
    - Pre-Completion OPT
    - Post- Completion OPT
    - STEM Extension OPT
    - Cap-Gap Extension

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Curricular Practical Training (CPT)

What is CPT and Who is Eligible?

F-1

- CPT is defined as authorization for practical training which is "an integral part of an established curriculum"
- Only available prior to completion of degree program (no CPT in last semester!)
- To be eligible:
  - Must have been a full-time student in the U.S. for one academic year (two full semesters); exception: grad students whose program requires internship/practicum in 1st year
  - Must have a job offer at the time of application
  - Must meet academic requirements
- CPT is limited to what is a required or elective **integral** component of a degree program. Policy may vary by program or school. 365 days or more of full-time CPT authorization will make you ineligible for OPT.

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CPT Request Process

You must have:

- Job offer is required!
- Academic department approval
- Academic course registration
- Complete CPT Canvas course
- Submit online form via MyOIE Portal
- Will receive CPT I-20 as proof of work authorization
- No fee (except tuition for internship course)

Go to the OIE website for more information

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Office of International Education

Division of Enrollment Services

Pre-Arrival & Settling In | Employment | Maintaining Status | Travel | Community Connections | Study Abroad

Division of Enrollment Services › Office of International Education › Employment › F-1 Students › Curricular Practical Training (CPT)

Curricular Practical Training (CPT)

MyOIE Portal

As an F-1 student, Curricular Practical Training (CPT) provides you with temporary employment authorization for off-campus employment opportunities that are considered an integral part of your curriculum – meaning that the course credits are going towards your degree or it is required by your department to graduate.

CPT employment must be directly related to your major. CPT is only available for F-1 students who have been enrolled full-time in the U.S. for at least one full academic year (i.e., fall and spring) immediately preceding the CPT authorization. Full-time is at least 36 units per semester. Students in graduate degree programs that require immediate internship participation may be eligible for CPT without meeting the one academic year requirement.

Quick Links:

CPT e-Learning Course ►

Job Search Resources ►

Frequently Asked Questions ►

Contact Us ►

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CPDC: CPT from Employment Perspective

Summer internships

- You must confirm if you are **eligible** for CPT.
- Seek employment **directly related to field of study.**
- During Career Fairs, look for employers **willing to hire international students and/or sponsor work visas.**

Not eligible for CPT? You can still **do something** with your summer! Research, projects, opportunities back home, OPT (if eligible), etc.

What is OPT and Who is Eligible?

F-1

- OPT is an off campus employment authorization for obtaining work experience directly related to the student's major field of study
- OPT is available both before and after completion of your degree program
- Eligibility:
  - Must have been a full-time student in the U.S. for one academic year (i.e. two full consecutive terms)
  - Have used less than 12 months of full-time CPT
  - Have not been previously approved for 12 months of OPT at the same degree level

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Types of OPT

1. Pre-Completion OPT
2. Post-Completion OPT
   a. Total time – 12 months; may be split between pre- and post-OPT
3. STEM Extension
   a. Total time – 24 months
4. Cap Gap Extension
   a. Total time – the time gap between end of post-OPT and start of H-1B status
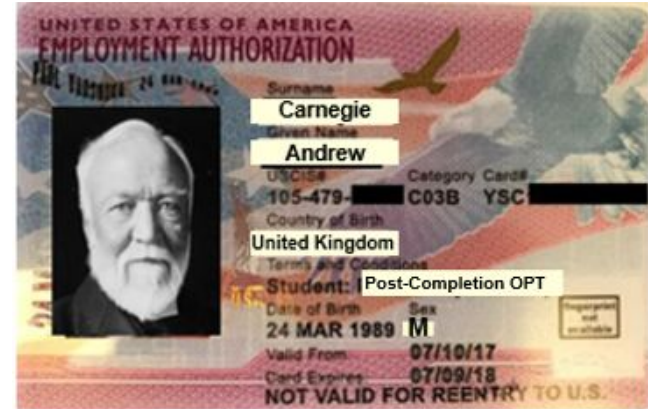
Image of Post-Completion OPT EAD card

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Pre-Completion OPT

- Begins and ends BEFORE completion of degree requirements
- Part-Time or Full-Time, depending on time of year and enrollment requirements
- Types:
    - During annual vacation (summer)
        - You must intend to register full-time for the immediately following term
        - May be full or part-time authorization
    - While school is in session (fall & spring)
        - Must be registered full-time during that term
        - May be part-time only (20 hours per week or less)

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Post-Completion OPT

- Begins and ends AFTER completion of enrollment requirements
- Apply during your final term of study (last term you are registered for required units)
- Requested Post-Completion OPT start date must be within 60 days after program completion date
- Always authorized as full-time. Must work at 20+ hours/week to maintain status
- During post-OPT, may not be unemployed for more than 90 days (cumulative).

Post-OPT Timeline for Fall Grads

F-1
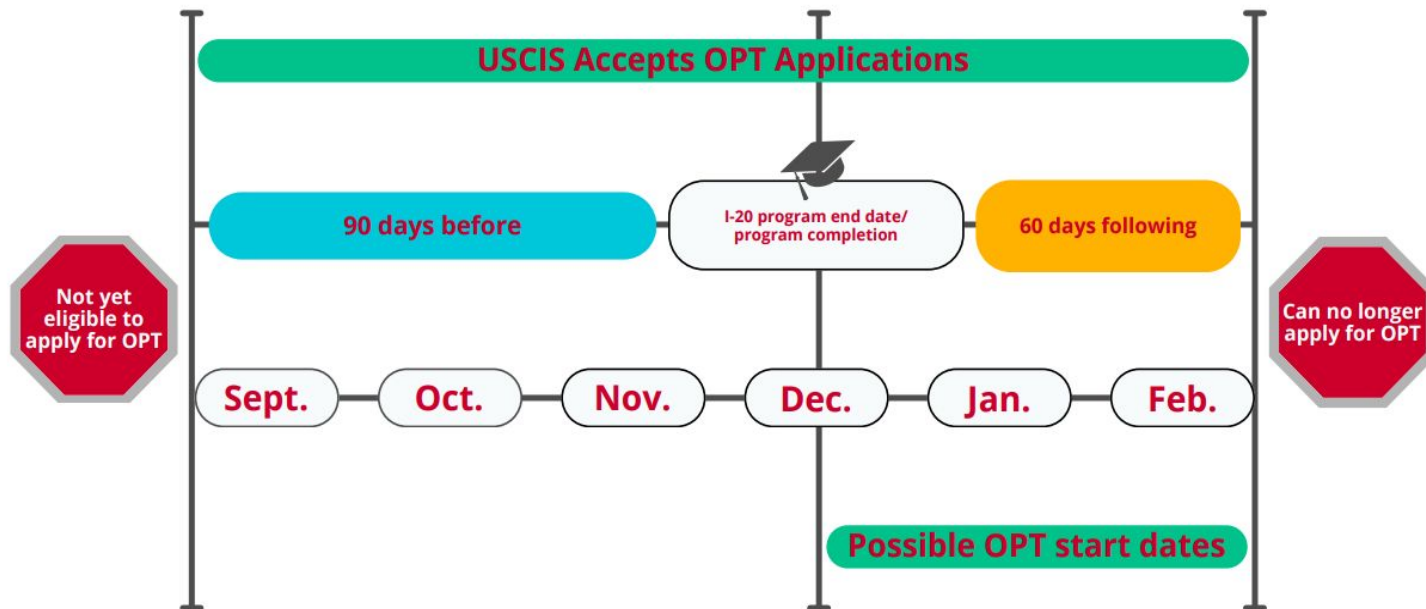
Post-OPT Timeline for Spring Grads

F-1
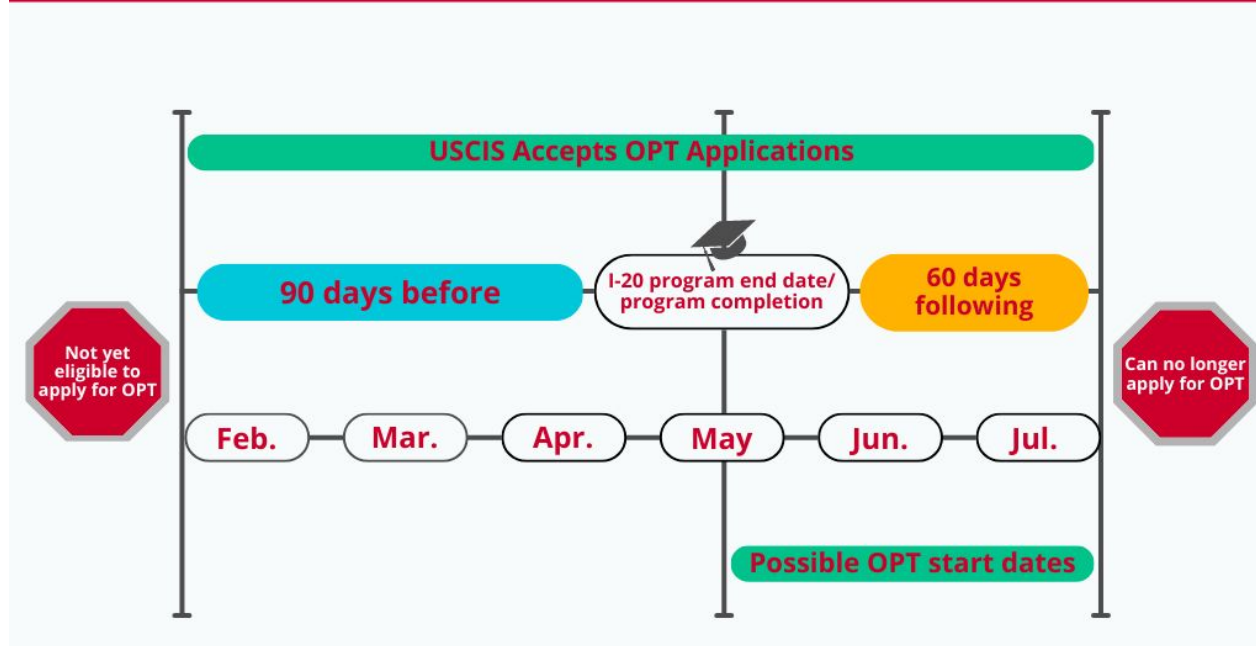
OPT Application Process

No job offer required to apply!

1. OPT Recommendation (new I-20) from OIE
   a. Complete the **REQUIRED OPT Canvas course** **(for Post-OPT ONLY)**
   b. Submit e-Form via MyOIE Portal
   c. 10 business days processing time for new I-20
2. Submit OPT application to USCIS
   a. Cost of application (check USCIS website for exact amount) + cost of photos
   b. The OPT application can be filed with USCIS online.
3. Authorization (EAD Card) is issued by USCIS
   a. USCIS processing time may take 2-5 months!
   b. Check on current government processing time
4. **For More Information:** Go to OIE website

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CPT & OPT Similarities

- Must have already completed one academic year full-time enrolled in the U.S.
- Work needs to be directly related to major field of study

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CPT & OPT Differences

F-1

CPT	OPT
For opportunities integral to your program curriculum.	Does not need to count toward degree requirements.
Requires employment offer to apply	Does not require employment offer to apply
Approved by: OIE and Academic Department	Approved by: U.S. Citizenship and Immigration Services (USCIS)
Cost: Tuition and fees, if required by department (paid to CMU)	Cost: Application fee (paid to the government)
Processing Time: 10 business days	Processing Time: may take several months
Maximum: as many times as it counts towards degree (e.g., internship course)	Maximum: 12 months* *Students in STEM majors may be eligible for additional 24 month extension*

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CPDC: OPT Considerations

- Employment during OPT must be **directly related to your field of study.**
- An offer is not needed to apply for Pre-OPT or Post-OPT. So, **do not wait** until you have a job offer to apply.
- You can interview for jobs **while OPT is pending**. Clearly communicate your anticipated OPT start date during these interviews.
- Your anticipated **OPT start date must be communicated** to employers during interview process.
- When interviewing for jobs, communicate clearly about start date—your **OPT must have started** to participate in training, employer orientations, the first day of employment, etc.
- Employment Questions on job applications—answer to the best of your ability. In order to stay in the US and work beyond OPT, you WILL need some sort of visa sponsorship.

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CPDC: Career Fairs

- CMU has Career Fairs this Fall! You can participate for practice, even if you're not eligible for CPT or OPT this coming summer.
"Group Sessions" during virtual fairs are perfect for you to attend right now.
- It's a good idea to practice talking with employers and you can explain when/if/how you'll have work authorization.
- Good to start thinking about what industries you will work in and what positions you are qualified for.

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What is STEM OPT and Who is Eligible?

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- STEM OPT is a 24-month extension of Post-OPT
- Specific STEM majors only (see government [CIP code list](#))
- Must be employed and apply **before** post-OPT EAD expires
- Employer must be in **E-Verify** (a government database)*
- Employer must complete **Form I-983** (training plan)
- Must be **paid**, at least 20 hrs/week, and related to STEM degree; no self-employment allowed
- * CMU is not an E-verified employer for STEM OPT purposes; **you cannot have STEM OPT based on employment with CMU**

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STEM OPT Application Process

1. [Confirm eligibility and prepare Form I-983](#)
2. Recommendation (new I-20) from OIE
   a. 10 business days processing time for new I-20
3. Submit STEM OPT application to USCIS
   a. Cost of application (check [USCIS website](#) for exact amount) + cost of photos.
   b. The STEM OPT application can be filed with [USCIS online](#).
4. Authorization (EAD Card) is issued by USCIS
   a. employment may continue for up to [180 days](#) after your post-OPT ends with a pending STEM OPT application)

For More Information About STEM OPT: Go to [OIE website](#)

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CPDC: STEM OPT Considerations

- As CMU alumni, you have **lifetime access** to Career Services. Reach out to your Career Advisor/Consultant if you need assistance during OPT or STEM OPT.
- STEM OPT applications review the **direct relation** of your work to your degree from CMU.
- Keep your resume updated and accurate during this time.
- Continue networking!

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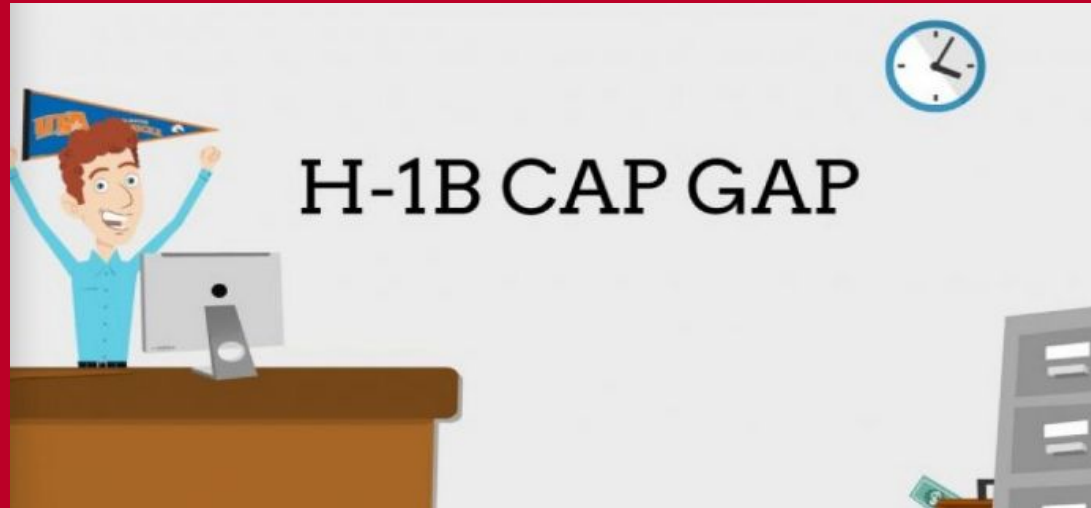
Cap Gap OPT Extension

F-1

- Cap Gap is OPT extension based on H-1B status and intended to cover a possible gap between end of OPT and start of H-1B (October 1)
- There is a limit ("**Cap**") of H-1Bs each year for private business jobs *(not colleges).*
- H-1Bs for industry jobs start only on October 1 of each year.
- Application for H-1B can be submitted to USCIS up to 6 months prior to start date *(April 1).*
- These date restrictions may cause a "**Gap**" in employment authorization for students on OPT. Cap Gap OPT extension covers this gap

Eligible for Cap Gap if:

- H-1B filed by employer **before** expiration of OPT
- OPT end date is between April 1 and October 1
- **H-1B is filed as a "Change of Status" (COS)**

Cap Gap Application Process

F-1

- Cap gap extension is **automatic** (if you are eligible)
- Cap Gap I-20 issued by OIE (can be requested via the [MyOIE Portal](#))
- No fee

For more information about the Cap Gap OPT Extension:

Go to the [OIE website](#)

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CPDC: H-1B and other Visa Considerations

- H-1B sponsorship is usually part of a verbal conversation during the hiring process. It's not as common to appear in the offer letter.
- If an employer is willing to sponsor you for an H-1B, discuss this with them. But, do not engage in this conversation if you have no interest!
- The H-1B petition is filed and paid for by **the employer**.
- There are other visa options besides the H-1B:
  - Perhaps working as long as possible on OPT or STEM OPT is best
  - You might be eligible for O-1, L-1, TN, EB-3 or other options
  - Be considerate during the conversation
- The professional world is small--people know each other and so managing good relationships is important.

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CPDC: Understanding Work Authorization Labels in Handshake

JOB & CAREER FAIR QUALIFICATIONS IN HANDSHAKE

1. "US work authorization required- Open to candidates with OPT/CPT"
2. "US work authorization required- Eligible for visa sponsorship and open to candidates with OPT/CPT"
3. "US work authorization required- Eligible for visa sponsorship"
4. "Eligible for visa sponsorship"

5. "US work authorization required"
- Employer is unwilling/unable to hire candidates on OPT/CPT or sponsor employment visas

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Scams and Fraudulent Employers

A **fraudulent employer** is an individual who falsely represents their identity, company, job posting, and/or any other aspects of employment. Fraudulent employers are looking to take advantage of students for monetary gain or identity theft.

Examples of Types of Scams:

- **Personal Assistant Scam -** An email offers compensation for a short interview conducted via text message
- **Hired Without Interview Scam –** You receive an offer letter, despite never having interviewed for the job or only had an "interview" conducted via text message or email. Sometimes these offers use real or fictional names of people you may know such as faculty members at your institution
- **Too Good to be True Sca–** You are offered a salary or other benefits that seem to be much higher than the average salary/benefits for this role. There will usually be a sentence that asks the employee to pay an upfront fee/training fee prior to starting the job which will be reimbursed at the end of the training.

If you are concerned that you've encountered a fraudulent employer, please contact your career consultant and/or report it to the CPDC by calling 412-268-2064.

WARNING

BEWARE OF SCAMS

Police or Law Enforcement Agencies **WILL NOT** contact you by phone with threats of
- social security usage
- tax liability
- deportation
- money transfers
- gift card payments

Faculty or Staff **WILL NOT** contact you via email with job or volunteer work to solicit:
- checks for you to deposit and pay back
- gift cards as payment
- mailed packages
- crypto currency

NEVER:
- give money to anyone you do not know
- give out your Social Security Number
- provide debit or credit card number
- provide personal information, ID or Passport number

When in doubt contact **CMU Police IMMEDIATELY!** 412-268-2323

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Social Security Number

- Social Security number (SSN) is required if you earn wages in the US
- Apply for a [Social Security Card](#) as soon as you are eligible
  - CPT – up to 30 days before start date listed on CPT I-20
  - OPT – can apply for SSN as part of OPT application
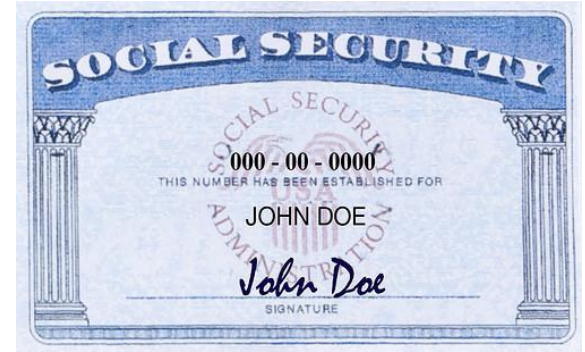- Not eligible if within two weeks of CPT or OPT end date

Image of a Social Security Number Card

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Taxes

- Students are subject to all taxes, except Social Security & Medicare
- [Students **MUST** file tax forms](#) by mid April of each year, generally **April 15**

Image of common U.S. tax forms.

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