AN EMPLOYER'S GUIDE TO HIRING INTERNATIONAL STUDENTS

KUTZTOWN UNIVERSITY

The purpose of this guide is to inform U.S. employers about:
- International students' F-1 and J-1 work authorization options
- The ease of procedures and costs involved when hiring Kutztown University international students for internships or full-time opportunities after graduation
- How the Career Development Center can support employers' recruiting efforts

Kutztown University's **Career Development Center** provides students with the knowledge, skills, experience, and confidence to be career-ready professionals. Our work with students is active, personalized, positive, and outcome-oriented.

We offer a wide range of services designed to connect employers with Kutztown University's talented students and alumni, including Career Fairs, On-Campus Recruiting, jobs shadowing programs, volunteering for mock interviews, engagement in networking events, and more.

While we cannot screen students' immigration status on behalf of employers, our team, along with the International Office, is available to support employers on the best strategies for recruiting international students from Kutztown University.

Kutztown University's **International Office** provides exceptional knowledge and support in international student advising, immigration services, advocacy, and programming. Our office is dedicated to empowering students with the knowledge they need to successfully navigate their visa status, including how to seek and obtain work authorization.

While it is the responsibility of students to seek out information regarding work and employment authorization, this guide offers a consolidated version of publicly available information, and information specific to Kutztown University students.

Note that this information may not apply to students at other institutions.

WHY HIRE AN INTERNATIONAL STUDENT?

Kutztown University (KU) international students represent 30+ countries and pursue a diverse array of degrees and career goals. They possess qualities that top employers seek:

- Multilingual and cross-cultural communication skills that are vital for companies to compete in a global economy
- Enhancing your economic, scientific and technological competitiveness through increased diversity in research, innovation and knowledge;
- Increasing understanding and knowledge of markets in students' home countries and utilizing networks of such employees for the benefit of your organization.

The majority of KU international students are in F-1 or J-1 immigration status that provides off-campus work authorization benefits during and after the academic program. The remainder of this guide provides an overview of these work authorization options along with long-term employment visa options and resources. We hope the information will help to clarify and streamline the hiring process of international students.

Important Note:
Employers should note that a Social Security Number alone is not sufficient proof of work authorization for international students. It is critical that employers confirm an international student's work authorization prior to the employment start date, to prevent any liability for the student and the employer in the future.

INTERNSHIPS / JOBS DURING DEGREE PROGRAM
CURRICULAR PRACTICAL TRAINING (CPT) FOR F-1 STUDENTS

WHAT IS IT?
- Off-campus work authorization for F-1 students who are currently pursuing degree programs at KU and have completed one academic year
- Employment must be related to student's field of study and can be paid or unpaid
- For internships or short-term employment opportunities
- Authorized by KU's International Office

DURATION OF EMPLOYMENT
- Employment authorization is given on a semester by semester basis
- CPT may be extended or renewed with advance approval
- Generally, students are limited to part-time (20 hrs or less per week) during the Fall/Spring semester and full-time work during the summer; some graduate students may be eligible for full-time CPT

STUDENT'S ROLE
- Verify eligibility for CPT
- Obtain academic department approval & enroll in concurrent academic course as determined by academic department, if applicable
- Submit complete CPT Request Form to KU's International Office prior to beginning employment

PROOF OF AUTHORIZATION
- A new CPT I-20 listing the authorized employer, address, dates of the authorization, and whether employment is part-time or full-time.
- Work cannot begin until student obtains authorization

EMPLOYER'S ROLE
- Provide student with an offer of employment
- Request a copy of the CPT I-20 from the student for I-9 purposes
- There is no cost to the employer and the CPT Request Form is entirely the responsibility of the student

INTERNSHIPS / JOBS DURING DEGREE PROGRAM
ACADEMIC TRAINING (AT) FOR J-1 STUDENTS

Only J students in the following categories are eligible: Student (bachelor), Student (Master), Student (Doctorate), Student (Non-Degree).

WHAT IS IT?
- Off-campus work authorization for J-1 students who are currently pursuing degree programs at KU and have completed one academic year
- Employment must be related to student's field of study and can be paid or unpaid
- For internships or short-term employment opportunities
- Authorized by KU's International Office

DURATION OF EMPLOYMENT
- Employment authorization is given on a semester by semester basis
- CPT may be extended or renewed with advance approval
- Generally, students are limited to part-time (20 hrs or less per week) during the Fall/Spring semester and full-time work during the summer.

STUDENT'S ROLE
- Verify eligibility for AT
- Obtain academic department approval & enroll in concurrent academic course as determined by academic department, if applicable
- Submit complete AT Request Form to KU's International Office prior to beginning employment

PROOF OF AUTHORIZATION
- A new DS-2019 listing the authorized employer, address, dates of the authorization, and whether employment is part-time or full-time.
- Work cannot begin until student obtains authorization

EMPLOYER'S ROLE
- Provide student with an offer of employment
- Request a copy of the DS-2019 from the student for I-9 purposes
- There is no cost to the employer and the AT Request Form is entirely the responsibility of the student

EMPLOYMENT AFTER GRADUATION
OPTIONAL PRACTICAL TRAINING (OPT) FOR F-1 STUDENTS

WHAT IS IT?

- Employment authorization for F-1 students who have completed all coursework for their academic program
- Employment must be related to student's major field of study and can be paid or unpaid
- Recommended by KU's International Office and authorized by United States Citizenship and Immigration Services (USCIS) based on student's petition for benefits

DURATION OF EMPLOYMENT

- Typically, 12 months of employment are granted
- Designated STEM majors working for eligible employers may extend (see next page)
- Full-time employment is allowed

PROCESSING TIME

- Typical time from submission to approval by USCIS is 90 days
- Students may apply up to 90 days prior to and up to 60 days after program completion

STUDENT'S ROLE

- Verify eligibility for OPT
- Submit OPT Request Form to KU's International Office.
- Submit complete and timely OPT application to USCIS in order to obtain approval prior to beginning employment
- Report employment to KU's International Office
- Ensure work is related to field of study

PROOF OF AUTHORIZATION

- Employment Authorization Document (EAD card/Form I-766) indicating start and end dates of work authorization
- Student must have EAD card in order to begin work

EMPLOYER'S ROLE

- Request a copy of the EAD from the student for I-9 purposes
- There is no cost to the employer and the OPT application is entirely the responsibility of the student
- Student can be approved for OPT without an offer of employment

EMPLOYMENT AFTER GRADUATION
STEM EXTENSION OPTIONAL PRACTICAL TRAINING (OPT) FOR F-1 STUDENTS

WHAT IS IT?

- An extension of a student's 12-month OPT
- Student must be a recipient of a STEM designated degree and working for an E-Verify employer
- Employment must be related to student's STEM major field of study
- Volunteer, unpaid, and self-employment are not allowed.
- May be based on a previously earned STEM Degree
- Recommended by KU's International Office and authorized by USCIS based on student's petition for benefits

DURATION OF EMPLOYMENT

- An additional 24-month extension of the 12-month OPT for a total of 36 months of OPT work authorization
- Allows total of 2 lifetime STEM Extensions, the 2nd after earning a new STEM-eligible degree at a higher level and obtaining a new, higher level of 12-Month OPT

PROCESSING TIME

- Typical time from submission to approval by USCIS is 90 days
- Students may apply up to 90 days prior to the end date of their 12-month OPT, but no later than their OPT end date

STUDENT'S ROLE

- Verify eligibility for STEM Extension
- Submit complete STEM OPT application to USCIS prior to the end date of their 12-month OPT
- Report employment and any changes to employment to KU's International Office

PROOF OF AUTHORIZATION

- A new Employment Authorization Document (EAD Card/ Form I-766) indicating start and end dates of extended work authorization
- If a timely STEM OPT application has been filed with USCIS, the student may work for up to 180 days after the end date of their 12-month EAD card

EMPLOYER'S ROLE

- Student must be employed or have offer of employment from a company
- Must be participating in E-Verify and provide student with E-verify & EIN number
- Must complete I-983 Training Plan and attest that wages and compensation are commensurate with "similarly situated U.S. workers"
- There is no cost to the employer
- Must evaluate student's progress on the I-983

EMPLOYMENT AFTER GRADUATION
ACADEMIC TRAINING (AT) FOR J-1 STUDENTS

Only J students in the following categories are eligible: Student (bachelor), Student (Master), Student (Doctorate), Student (Non-Degree).

WHAT IS IT?

- Off-campus work authorization for J-1 students who are currently pursuing degree programs at KU and have completed one academic year
- Employment must be related to student's field of study and can be paid or unpaid
- For internships or short-term employment opportunities
- Authorized by KU's International Office

DURATION OF EMPLOYMENT

- Duration is determined by the student's length of study; students should consult with KU's International Office
- After completion of program, AT must be a minimum of 20 hrs per week

STUDENT'S ROLE

- Verify eligibility for AT
- Obtain academic department approval
- Submit complete AT Request Form to KU's International Office prior to beginning employment
- Begin employment within 30 days of program end date

PROOF OF AUTHORIZATION

- A new DS-2019 listing the authorized employer, address, dates of the authorization, and whether employment is part-time or full-time.
- Work cannot begin until student obtains authorization

EMPLOYER'S ROLE

- Provide student with an offer of employment
- Request a copy of the DS-2019 from the student for I-9 purposes
- There is no cost to the employer and the AT Request Form is entirely the responsibility of the student

LONG-TERM EMPLOYMENT IN THE U.S.
H-1B

WHAT IS IT?
- Employer-sponsored visa that permits temporary employment in "specialty occupations"
- A limited number of H-1B applications are granted every year
- Exceptions to the quota are granted to some non-profit, research and educational institutions

STUDENT'S ROLE
- Student may be eligible for a "Cap-Gap" Extension of OPT (Optional Practical Training) while the H-1B petition is pending or waiting for the effective date
- Student should consult with KU's International Office for instructions and eligibility

DURATION OF EMPLOYMENT
- H-1B status is initially granted for a duration of up to 3 years, but can be extended/renewed up to a total of 6 years

PROOF OF AUTHORIZATION
- Employer will receive official approval letter from USCIS listing the effective date
- Students eligible for the "Cap Gap" Extension will be issued a new I-20 by KU's International Office upon request

PROCESSING TIME
- Total processing time (including preparation & application) may take 2 to 6 months; renewals, extensions, & change of employer may be shorter
- For most private employers, H-1B applications should be submitted on April 1 for cap subject applications
- Approved applications are effective October 1
- Exceptions to the timeline may be granted to some non-profit, research and educational institutions

EMPLOYER'S ROLE
- The employer, with a qualified immigration attorney, is responsible for preparing and filing the petition
- Costs will include attorney and USCIS application fees
- The employer is responsible for filing a timely petition

LONG-TERM EMPLOYMENT IN THE U.S.
ADDITIONAL EMPLOYMENT-BASED VISA CATEGORIES

Non-Immigrant Temporary Worker Visas

TN: NAFTA Professionals from Canada & Mexico

E-3: Specialty Occupation Visa for Australians

H-1B1: Free Trade Agreement (FTA) Professional - Chile, Singapore

H-2A: Temporary Agricultural Worker

H-2B: Temporary Non-agricultural Worker

H-3: Trainee or Special Education visitor

L-1: Intracompany Transferee

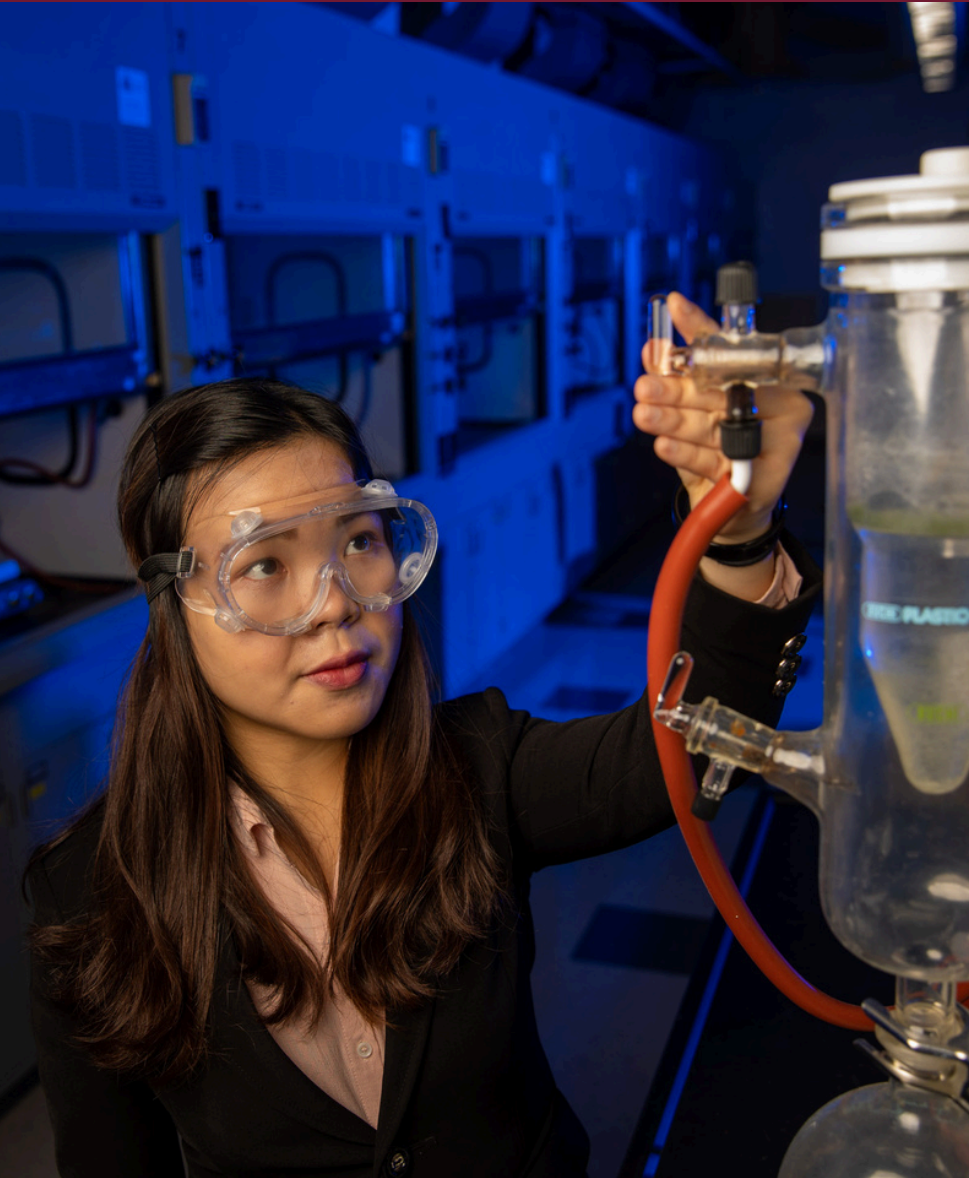**O:** Individual with Extraordinary Ability or Achievement

P-2/3: Artist or Entertainer (Individual or Group)

Q-1: Participant in an International Cultural Exchange Program

Employers who have questions about their international candidate's ability to work in the U.S. should consult an immigration attorney.

OTHER INFORMATION

TAXES

Unless exempted by a Tax Treaty, International students who earn an income will be subject to applicable federal, state and local income taxes.

SOCIAL SECURITY NUMBER

Once an F-1 or J-1 student has obtained a job offer, they become eligible for a Social Security Number. If an international student has never worked in the US prior to your job offer, they will need an SSN but are not required to have it before they begin working. If necessary, employers can obtain a letter from the SSA confirming a student has applied for the SSN.

Students may apply for the number at their local Social Security Administration and may apply up to 30 days prior to their employment start-date.

When applying, students will be required to present proof of employment. For students on CPT or Academic Training, this means presenting their I-20/DS-2019 with approved work authorization. Students on OPT must show their Employment Authorization Document (OPT card) and must wait until their start date has been reached before they become eligible for the SSN.

RESOURCES

U.S. Equal Employment Opportunity Commission (EEOC)
https://www.eeoc.gov/

U.S. Citizenship & Immigration Services (USCIS)
http://www.uscis.gov/

U.S. Department of State
https://travel.state.gov/content/travel/en/us-visas/employment.html

Internal Revenue Service
https://www.irs.gov/individuals/international-taxpayers/foreign-students-scholars-teachers-researchers-and-exchange-visitors

E-Verify
http://www.uscis.gov/e-verify

American Immigration Lawyers Association
http://www.aila.org

Interstride (Provided content for this guide)
https://interstride.com/

CONTACT INFORMATION

Contact us with questions regarding recruiting KU international students:

Career Development Center
610-683-4067
careerhelp@kutztown.edu

Contact us with questions regarding KU international students' documentation:

Office of International Education and Global Engagement
610-683-4939
international@kutztown.edu