HOW DO I HIRE AN INTERNATIONAL F-1 STUDENT?

Optional Practical Training (OPT)

- What verification do I need for the I-9?

- How many hours can they work?
  If they are authorized for full-time employment, they can work forty hours per week. If they are authorized for part-time employment, their work hours must not exceed twenty per week.

- Is this for post-graduation employment?
  The student can request post-graduation employment or pre-graduation employment. If they request pre-graduation employment, they can work full-time in the summer or not more than twenty hours per week during the academic year.

- Are there any restrictions?
  The student is to work in a field related to their academic program. In addition, the student is not eligible for OPT until after they have completed at least one academic year.

- Will hiring them cost our company any fees?
  No.

- What is the duration of this type of employment?
  An F-1 student is allowed twelve months of OPT for the duration of their degree program. If they later study at an elevated level (i.e., a Master’s program after a Bachelor’s program) they will be eligible for another twelve months of OPT.

- Is there any extra paperwork for our company to complete?
  No. However, the student must complete a USCIS application, which can be obtained at the Office of International Affairs.

- How quickly can they begin to work?
  Authorization from the USCIS usually takes three to four months.

- If they don’t have their work authorization yet, can they begin working now and simply get paid later for it?
  No!!! The student MUST wait for their Employment Authorization Document. Otherwise, they will be in violation of their F-1 status.
Curricular Practical Training (CPT)

- What verification do I need for the I-9?
  You will need the student’s Form I-20 which authorizes employment at your company on page three. You will also need to see their passport and their I-94 card.

- How many hours can they work?
  If they are authorized for full-time employment, they can work forty hours per week. If they are authorized for part-time employment, their work hours must not exceed twenty per week.

- Is this for post-graduation employment?
  No. CPT is only for pre-graduation employment and can NEVER be used in lieu of post-completion OPT.

- Are there any restrictions?
  Not every student qualifies for CPT. There must be an internship component in their academic program in order for them to be authorized for CPT.

- Will hiring them cost our company any fees?
  No.

- What is the duration of this type of employment?
  Usually CPT lasts for one semester. On occasion, it can be extended further.

- Is there any extra paperwork for our company to complete?
  The student must provide certain documents to the Office of International Affairs (OIA) However, the only item that the employer needs to provide is a job offer letter, which should include the beginning and ending dates of employment and the number of hours that will be worked per week. OIA will complete the remaining paperwork.

- How quickly can they begin to work?
  They can begin working as soon as their I-20 is processed by OIA. This process should be started at least one month prior to the proposed start date.

- If they don’t have their work authorization yet, can they begin working now and simply get paid later for it?
  No!!! The student MUST wait for their I-20 authorized by OIA for CPT. Otherwise, they will be in violation of their F-1 status.
On-campus employment

- What verification do I need for the I-9?
  You will need the student’s valid I-20. You must verify in section five that the I-20 has not expired. You will also need to see their passport and their I-94 card.

- How many hours can they work?
  They can work twenty hours per week during the academic year. They can work full-time during academic breaks, such as summer, spring or winter vacation. There are no exceptions to this USCIS rule!

- Is this for post-graduation employment?
  No, unless the student has an EAD for post-graduation OPT.

- Are there any restrictions?
  In the past students have been allowed to work in all parts of Indiana University and Riley hospitals. They are now only allowed to work in the cafeterias or where students receive their paychecks from Indiana University, such as in the labs. Other jobs in the hospitals paid by Clarian Health are not considered on-campus employment. Also, students are no longer allowed to work in all parts of the University Place Hotel. They are only allowed to work in the restaurants or food court.

- Will hiring them cost the University any fees?
  No.

- What is the duration of this type of employment?
  A current student is allowed to work on campus as long as their I-20 is valid and they are in good status.

- Is there any extra paperwork for the University to complete?
  No.

- How quickly can they begin to work?
  Up to thirty days prior to the start date of their I-20???

- If they don’t have their work authorization yet, can they begin working now and simply get paid later for it? NA? Relevant now that we use I-20?

H-1B employment visa

- What verification do I need for the I-9?
  You will need to verify the employee’s USCIS Approval Notice, Form I-797. You will also need to see their passport and their I-94 card.
• How many hours can they work?
  Full-time.

• Is this for post-graduation employment?
  Yes. An H-1B employee must have at least a Bachelor’s degree or its equivalency.

• Are there any restrictions?
  The employee is only allowed to work at the position that their Approval Notice is for.

• Will hiring them cost our company any fees?
  Yes. The USCIS fee for private employers is $190, plus a $1500 training fee, plus a fraud prevention fee of $500. University employers and primary or secondary schools do not have to pay the training fee. Employers with twenty-five employees or less pay only a $750 training fee. Premium processing (fifteen day processing) costs an additional $1000. There will be additional attorney fees if the institution does not have its own visa services staff.

• What is the duration of this type of employment?
  A person can have up to six years of H1-B employment. Employment is given in three year increments. There is no minimum amount of time for an H1-B.

• Is there any extra paperwork for our company to complete?
  Yes. At IUPUI you will contact the Office of International Affairs who can guide you through this process. At other institutions you will need to hire an immigration attorney if no one on your staff routinely prepares H1-B petitions.

• How quickly can they begin to work?
  The employee can begin working as soon as they have received their Approval Notice. Normal processing takes four to five months: premium processing reduces processing time to two months.

• If they don’t have their work authorization yet, can they begin working now and simply get paid later for it?
  No!!! The student MUST wait for their Approval Notice. Otherwise, they will be in violation of their immigration status.