Hiring an International Student: What you need to know

Binghamton University enrolls over 2,500 (Fall 2017 Data) international students on non-immigrant visas; these students are neither U.S. citizens nor permanent residents. International students, who usually spend two years or more in the U.S., often demonstrate the initiative, flexibility, and experience to adapt to new situations. Their outstanding Binghamton University education and their multilingual abilities make them a special asset to U.S. employers. They stand to gain from the employment they receive from you, but in return, your organization benefits greatly from their unique skills and new approaches to challenges.

Given the complexity of federal laws governing the employment of non-US citizens, employers may be uncertain about hiring someone who is not a U.S. citizen, intending citizen or permanent resident. However, federal regulations do permit the employment, within certain limits, of international students in F-1 and J-1 status.

**Student Visas and Employment Authorization**

International students generally hold either F-1 (student) or J-1 (exchange visitor) visas in the U.S. The U.S. Citizenship and Immigration Services (USCIS) permits students in both categories to be employed if the work is related to their field of study. The types of employment authorizations are explained below. Eligible students need not change their visa category to accept these types of employment.

**Receiving Employment Authorization - For More Information**

The ISSS Office assists international students in F-1 or J-1 visa status to secure written employment authorization, required by federal immigration regulations. This authorization must be received before an international student begins any internship or employment placement.

Direct your questions regarding Employment Authorizations to intl.work@binghamton.edu, or call the ISSS Office at (607) 777-2510.

**J-1 Employment: Academic Training**

Academic Training is defined as employment related to the student’s field of study. Such employment may be performed prior to or after completion of studies and may be part or full-time. The cost is free to both international students and employers.

**F-1 Employment Options – Possible Employment Authorization Categories**

**Practical Training:**

Practical Training is defined as employment related to the student’s field of study. To be potentially eligible for these employment authorizations, international students must complete a minimum of one year of full-time academic study in the United States immediately prior to the start of any practical training. Such employment may be performed prior to or after completion of studies and may be part or full-time. There are two categories of practical training: Curricular and Optional.

**Curricular Practical Training (CPT)**

CPT is very temporary employment that is considered an integral part of the student’s academic program. Curricular Practical Training is allowed for a temporary position such as an internship. It can be full or part-time and the student must maintain full-time registration while on CPT. This type of work authorization is most often used for internships.

The cost is free to both international students and employers. The CPT application requires a letter from the employer containing specific information and a form completed by the student’s academic advisor.
Optional Practical Training (OPT)
OPT is also employment related to a student’s field of study but unlike Curricular Practical Training, this type of practical training may be done either during the student’s academic program or after completion of studies. OPT prior to completion of studies is limited to part-time during the academic year although it can be full-time during vacation and holiday periods. Graduate students who have finished all coursework and are completing thesis or dissertation research may apply for full-time practical training during the academic year. Students are eligible for up to twelve months of OPT.

An application for OPT is submitted to immigration services (USCIS) by the student with a processing fee. No paperwork is required from the employer. No cost is incurred to the employer. Processing time by USCIS is typically 90 days.

OPT Extension: for some Science, Technology, Engineering, Mathematics Degrees (STEM OPT Extension)
If you are an employer who participates in the E-Verify program, https://www.uscis.gov/e-verify, and hire an employee with an OPT authorization from USCIS whose degree is in certain STEM fields, they may be eligible for an extension of their first OPT authorization for an extension period of up to 24 additional months.

To learn more about this possible continuation of OPT, see the information here: https://studyinthesates.dhs.gov/employers-and-the-form-i-983 and http://www.binghamton.edu/isss/employment/opteligibility.html

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