

# F-1 Work Authorization Overview

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# Types

On-Campus

CPT

OPT

H1

Other

## On Campus

- May work 20 hours a week during semester
- May work 40 hours a week during breaks
- Apply at: [www.gvsu.edu/studentjobs](http://www.gvsu.edu/studentjobs)
- No additional immigration authorization is required
- Campus Dining LOVES to hire international students- and they hire the greatest number of students and have the most flexible hours available.

# CPT

(Curricular Practical Training)

- Must be required for a course in your major
- Work with your academic advisor to see if this is possible
- Find an internship
- Submit: Job Offer letter, Academic Advisor approval and CPT form to [istudents@gvsu.edu](mailto:istudents@gvsu.edu)
- Process takes 2-3 days to authorize
- May be part time or full time (typically part time during school/full time during breaks)
- Must be authorized each semester that you participate
- May NOT work more than 360 days FULL TIME without jeopardizing OPT
- Part time CPT does not affect OPT

# OPT

(Optional Practical Training)

- Benefit of your F-1 Status
- 1 year of work authorization in your major after graduation
- Should apply in the beginning of your last semester at GVSU (during OPT Fair)
- Process takes about 90-120 days
- Do not need a job to apply

# OPT Process

- Attend OPT Fair
- Request I20 (at OPT Fair)
- Complete G-1145 ([www.uscis.gov](http://www.uscis.gov))
- Complete I-765 ([www.uscis.gov](http://www.uscis.gov))
  - Answer for #20: ( C ) ( 3 ) ( B )
- Submit copies of all I-20's
- Submit passport copy
- Submit visa copy
- Submit I-94
- Submit 2 passport photos (You may have yours taken at PIC for \$3.00)
- Submit \$410.00 payable to USCIS

# OPT Process (after graduation)

- Once you have a job, you must report it to: [istudents@gvsu.edu](mailto:istudents@gvsu.edu)
- We will need:
  - Your name, address
  - Your supervisor's name, email, phone number
  - Your company's name, address, EIN Number
  - Date you start employment
  - How it relates to your major

## Other OPT Rules

- You may not be unemployed for more than 90 days during your OPT Period
- You may not travel out of the US while your OPT is pending with USCIS (this means- if you will travel after the OPT fair- you must apply once you return to the US)
- Additionally, you may not re-enter the US without a job offer
- It is your responsibility to notify [istudents@gvsu.edu](mailto:istudents@gvsu.edu) with your job status as well as to count your unemployment dates.
- Unemployment begins to count on the first day of your authorization (if you are not yet working)



# OPT Dates

The VERY trickiest part

- **The very trickiest part of OPT is to pick your dates.** You have a window of about 45 days. You can begin working immediately after graduation to about 45 days after graduation.
- You have to pick your start date when you APPLY for OPT.
- This means you will NOT know (likely) when you will start working- because you probably don't have a job.
- Once you pick a date- it cannot be changed
  - If you pick an early date- but don't get a job right away- you will lose OPT time.
  - If you pick a later date- but get a job right away- you cannot work until the OPT card arrives
- This is not an easy problem to solve.
- Luckily, you are smart- and you will pick the date that you can live with!

# STEM OPT Extension

(for some!)

- Those of you studying in Science, Technology, Engineering and Math are eligible to apply for a 24 month extension of your OPT.
- Your major on your I-20 needs to be listed here:  
<https://www.ice.gov/sites/default/files/documents/Document/2016/stem-list.pdf>
- Your employer MUST be an E-Verify employer
- You must complete the I-983 Form ([www.uscis.gov](http://www.uscis.gov))
- Plus all of the other OPT papers (see OPT slide)
  - Answer for #20 on I-765 (C)(3)(c)

# H1

UGH- this is like a Golden Ticket!

- You will need to be sponsored by a company for H-1 Status
- The company will apply for you on April 1 (if they will apply at all)
- This process is a National Process. There are around 65,000 spots available.
- Once more than 65,000 applications are received, USCIS puts all of the applications into a lottery system.
- So then, not only do you have to have your employer sponsor you- but you ALSO have to win the lottery.
- Once you have won the lottery- your application still has to be reviewed and approved by USCIS.
- If you are a Master's degree (or higher), essentially- you have two entrances into the lottery- one into the general lottery- and one into the lottery for "advanced education"

# CAP-GAP

H-1 continued

- SO- IF- you are sponsored by your employer- this takes time. Once USCIS confirms your application has been received, you are given what is called "CAP GAP"
- This extends your OPT (if necessary) to October 1.
- H1 status ALWAYS begins no earlier than October 1.

## Other H1 info

- You should work with an attorney
- Hopefully, your company already has an immigration attorney
- If not, PIC can recommend some good attorneys
- Your company must pay the filing fee and all expenses.
- Your company MAY NOT charge those fees to you, you may not pay them, and they may not take the fees from your salary
- Your company must prove they:
  - Tried to hire an American- and couldn't find one more qualified than you
  - Is (or Intends to) paying you a prevailing wage
  - <http://www.flcdatcenter.com/>

# Other Work Options

Work with an attorney! Please! The Padnos International Center does not provide any advice on these options.

- There is an L status- which allows some to work for companies that are headquartered outside of the US.
- There is the EB status- which is an investor status
- The TN Status may allow you to work if you are Canadian or Mexican
- There are some options for start up-businesses

# FAQ's and Answers

- What do I answer to "Are you authorized to work in the US"?
  - Yes, you are authorized on CPT or OPT
- How do I ask about Sponsorship?
  - Be upfront (and know that it will make a difference (frequently negatively))- ask the company if they are willing to sponsor for H-1 status
- I have questions about my I-9 form
  - Great! IF you work on GVSU's campus- our student employment office can help! [studentjobs@gvsu.edu](mailto:studentjobs@gvsu.edu) If you work on CPT or OPT, your employer's Human Resources Office can help
- I have questions about my withholdings
  - Yes, I do, too! Please ask your Payroll Office to explain this
- What about taxes?
  - All international students (regardless of work) are required to file taxes.
- Can I work in another state?
  - Of course! This is easy if it is OPT, and for CPT- you just need to be sure you are working with your academic advisor and the required courses
- What if I want to volunteer?
  - You may always volunteer! Then it isn't work and you don't need authorization. However, you cannot volunteer for something that someone else is paid to do.
- Can I only do CPT for a semester?
  - That depends on your academic advisor and your course load.

# Questions?

Email: [istudents@gvsu.edu](mailto:istudents@gvsu.edu)