SECTION 5
EMPLOYER GUIDE TO HIRING INTERNATIONAL STUDENTS

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BENEFITS OF HIRING INTERNATIONAL TALENT

1. **Cross-cultural Competencies**
   International students bring cross-cultural competencies and multiple language skills to your organization.

2. **Diversity**
   Hiring an international student not only brings diversity but also introduces a new perspective for creativity & problem-solving.

3. **Adaptability**
   Many international students demonstrate maturity, flexibility, grit and dedication and can share business practices of other cultures and help your organization adapt to new challenges globally.

4. **Experiences**
   The students’ diversity of prior work experiences coupled with academic excellence may provide innovative approaches to business.

5. **Characteristics**
   International students demonstrate characteristics that are appealing to top employers: knowledge of other cultures, multiple language capabilities (including English), and ability to contribute in a teamwork-centered environment.

6. **Skills**
   Students also exhibit high quality skills such as leadership, flexibility, independence, and ability to adapt to change.
# COMMON US WORK AUTHORIZATION OPTIONS FOR STUDENTS

<table>
<thead>
<tr>
<th>CPT</th>
<th>OPT</th>
<th>AT</th>
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</thead>
<tbody>
<tr>
<td><strong>Curricular Practical Training</strong></td>
<td><strong>Optional Practical Training</strong></td>
<td><strong>Academic Training</strong></td>
</tr>
<tr>
<td><strong>Definition:</strong> Temporary employment authorization directly related to student’s academic program</td>
<td><strong>Definition:</strong> Temporary employment authorization directly related to the field of study</td>
<td><strong>Definition:</strong> Training for students in their field of study as a form of experiential learning</td>
</tr>
<tr>
<td><strong>Authorized By:</strong> Designated School Official (DSO) at OISS</td>
<td><strong>Authorized By:</strong> United States Citizenship and Immigration Services</td>
<td><strong>Authorized By:</strong> International Student Advisor and/or Program Sponsor</td>
</tr>
<tr>
<td><strong>Duration:</strong> Employment dependent but is granted on a semester basis</td>
<td><strong>Duration:</strong> 12 Months</td>
<td><strong>Duration:</strong> 18 months for Bachelors/Masters Graduates. 36 months for Doctoral Graduates. Non-degree AT: length based on duration of study (1-2 semesters)</td>
</tr>
<tr>
<td><strong>Who is eligible?</strong> F-1 visa students who have completed at least one academic year full-time</td>
<td><strong>Who is eligible?</strong> Full-time F-1 visa students who will be completing degree requirements this semester</td>
<td><strong>Who is eligible?</strong> J-1 Students</td>
</tr>
<tr>
<td><strong>When to Apply</strong> When applicable but after first year of full-time status</td>
<td><strong>When to Apply</strong> 90 days prior to program end date and up to 60 days after</td>
<td><strong>When to Apply</strong> Prior to program end date.</td>
</tr>
<tr>
<td><strong>Start Date</strong> Employment dependent but must have offer first before applying</td>
<td><strong>Start Date</strong> Decided by student, last date to start is 60 days after degree completion</td>
<td><strong>Start Date</strong> Can start prior to program end date. Last possible start date is 30 days after the program end date or 30 days after degree completion, whichever is sooner</td>
</tr>
<tr>
<td><strong>Permitted Work Hours</strong> Part-time CPT: no more than 20 hours a week during fall and spring semester</td>
<td><strong>Permitted Work Hours</strong> Minimum of 20 hours a week</td>
<td><strong>Permitted Work Hours</strong> No limitation, Minimum 20 hours per week after program completion</td>
</tr>
</tbody>
</table>
This information will assist prospective employers in understanding basic work options for internationals who may want to work for their company.

**F-1 Visa Holders**
The F-1 visa status is a temporary non-immigrant student visa, and the most common visa for MSU international students. F-1 visa holders must obtain work authorization before beginning employment off-campus. Individuals holding F-2 visa status are dependents of the F-1 visa holder and are not, under any circumstances, allowed to earn income in the United States.

**Employers do not incur processing costs for employment authorization of international students while they are on F-1 or J-1 visas.**

**J-1 Visa Holders**
J-1 student visa status is granted to students who participate in international exchange programs between Michigan State University (MSU) and universities in other countries, or whose education in the U.S. is financed directly or indirectly by the U.S. government, the government of the student’s home country, an international organization of which the U.S. is a member, or by another institutional sponsor. J-1s have some work authorization options that must be pre-approved.

**On Campus Limitation**
Students in F-1 and J-1 status are required to be full-time students and may work on-campus up to 20 hours or in the “practical training” options below.

**Practical Training Options**
International students are eligible for temporary work authorization that permits them to engage in part- or full- time employment in their field of study.

**Curricular Practical Training (CPT)**
CPT is temporary employment authorization directly related to a F-1 student’s academic program and granted by the Office for International Students and Scholars (OISS). CPT is typically authorized on a part-time (up to 20 hours a week) basis during the school year and can be authorized on a full-time (over 20 hours a week) or part-time basis during vacation periods. CPT gives students the possibility to work off-campus or to work for more than 20 hours a week on campus if certain qualifications are met. Some types of CPT are as follows:

- **Required for the degree program:** In order for training to be considered “required”, all students in the degree program must be required to complete an internship or practicum in order to receive their degree. A few programs at MSU have such requirements.

- **Integral part of an established curriculum:** If the internship/work experience is not required, then it must be taken for academic credit. Students will work with their academic advisor to fill out the “CPT Authorization Form” issued by OISS. Please see the following link for more information: [https://oiss.isp.msu.edu/files/7515/2571/3183/cpt.pdf](https://oiss.isp.msu.edu/files/7515/2571/3183/cpt.pdf)

The student must receive a job offer prior to securing the employment authorization, and thus will be unable to provide documentation at the interview stage. OISS needs a signed, written offer of employment on the company’s letterhead as part of the CPT application requirements.
**Proof of Work Authorization:** The employer and dates for which the student is authorized to work will appear on the student’s Form I-20 (certificate of eligibility). Students cannot begin work before the start date on the Form I-20, or continue working after the end date. CPT authorization may be renewable if the student continues to be eligible.

**J-1 Academic Training**

J-1 students may apply for temporary work authorization called “Academic Training” (AT) either prior to or after completion of studies to accept positions within their field of study. Students seeking or completing bachelor’s or master’s degrees are eligible for 18 months of AT. Students seeking or completing doctoral degrees are eligible for 36 months of AT. Non-degree (exchange) students are eligible for AT authorizations matching the length of time they have spent studying in the U.S. Example: A one-semester (4-month) exchange student is eligible for up to 4 months of AT.

**AFTER GRADUATION**

The U.S. government allows students to apply for authorization to gain practical work experience to supplement their academic programs. Many employers find this to be a useful opportunity to hire a student with valuable international perspectives.

**F-1 Optional Practical Training (OPT)**

OPT is defined as “temporary employment authorization directly related to the field of study”. F-1 students are eligible for up to 12 months of employment authorization under this category.

For students whose majors are given the STEM (Science, Technology, Engineering and Mathematics) designation, employment may be extended for an additional 24 months, if the F-1 visa holder is employed by an E-Verify employer.

OPT is recommended by OISS at MSU and granted by United States Citizenship and Immigration Services (USCIS). The application process can take several months.

**Proof of Work Authorization:** Students on OPT will receive an employment authorization document or EAD card. USCIS issues the EAD and it specifies the dates of authorized employment.

**J-1 Academic Training:** see the “before graduation” section.

**EMPLOYMENT OPTIONS FOR NON-IMMIGRANT VISAS**

Beyond CPT, OPT, or AT, there are options for employing internationals.

**Temporary Worker (H-1) Visa**

The H-1B visa allows foreign nationals to work in the United States in specialty occupations. The H-1B visa category has the following key requirements:

Applicant must have theoretical and practical application of a highly specialized body of knowledge and must have a minimum of a Bachelor’s degree or its equivalent in a specialized field. The company is the petitioner of the H-1B and the international is the beneficiary. The company should consult their HR and legal counsel when completing these petitions.

The employer makes an H-1B visa petition to the Department of Labor and USCIS. An employer may petition for H-1B status for a maximum of 3 years at a time. An individual can hold H-1B status for up to a maximum of six years. It is advised to plan petition applications early as timing of filing is critical due to H-1B visa limits.
**O-1 Visa: Individuals with Extraordinary Ability to Achievement**
The O-1 nonimmigrant visa is for the individual who possesses extraordinary ability in the sciences, arts, education, business, or athletics, among other fields, and are recognized nationally or internationally for those achievements. An O-1 petition has an initial period of stay of up to 3 years. Subsequent extensions may last for no more than one year at a time. There is no limit to the number of extensions.

**Nonimmigrant NAFTA Professional (TN) Visa**
The TN visa allows citizens of Canada and Mexico, as NAFTA professionals, to work in the U.S. in a prearranged business activity for a U.S. or foreign employer. Permanent residents, including Canadian permanent residents, are not able to apply to work as a NAFTA professional. Both Canadian and Mexican citizens can be admitted to the United States in TN status in increments of up to three years. There is no cumulative time limit on TN status. Status is renewable indefinitely, provided the stay remains temporary in nature.

**E-3 Certain Specialty Occupation Professionals from Australia**
The E-3 classification applies only to nationals of Australia. The specialty occupation requires theoretical and practical application of a body of knowledge in professional fields and at least the attainment of a bachelor’s degree, or its equivalent, as a minimum, for entry into the occupation in the U.S. There is no cumulative time limit on E-3. It is renewable every two years indefinitely, provided the stay remains temporary in nature.

**Intra-Company Transfer (L) Visa**
L Intra-company Transferees who, within the three preceding years, have been employed abroad continuously for one year, and who will be employed by a branch, parent, affiliate, or subsidiary of that same employer in the U.S. in a managerial, executive, or specialized knowledge capacity may be eligible for an L Visa.

USCIS website: [https://www.uscis.gov/working-united-states/temporary-nonimmigrant-workers](https://www.uscis.gov/working-united-states/temporary-nonimmigrant-workers)

**PERMANENT RESIDENCY**
Lawful permanent residency is a status granted by the U.S. government to citizens of other countries. One option to obtain PR is through an “employer-based petition”. For example, the employer may document the need for a person’s occupational skills, or the individual must prove international recognition is his or her field. While an employer may sponsor an individual, USCIS makes the final decision. Make no promise or guarantee to the employee.

USCIS website: [https://www.uscis.gov/working-united-states/permanent-workers](https://www.uscis.gov/working-united-states/permanent-workers)

**LEGAL SUPPORT**

**Find an immigration attorney**
OISS can only provide general information on visa categories beyond F and J. International students and U.S employers need to talk to an immigration attorney regarding specific cases.