Hiring International Students

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Office of International Students & Scholars
The International Student

- Full-time student pursuing a program of study
- F-1 Visa Students with a Form I-20
- J-1 Visa Students with a Form DS-2019
- Other common visa types not considered student visas: H, E, R, L, TN, B
- Study might be possible for visa types above especially for their dependents except for B visa holders
- F-2 and J-2 dependent spouses are not permitted to study. Children K-12 can study.
# Three Kinds of International Students

<table>
<thead>
<tr>
<th>F-1 Visa Student (Form I-20)</th>
<th>Sponsor</th>
<th>SEVIS Record</th>
<th>Full-Time Enrollment Requirement</th>
<th>Employment Types</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsored by UC Merced or another university as marked in box #2 on Form I-20</td>
<td>SEVIS Record Required</td>
<td>Student is required to be enrolled full-time at their sponsoring university. The only exception is for students on post-completion OPT.</td>
<td>On the campus of the sponsoring university up to 20 hours per week with no authorization, OPT, CPT or Severe Economic Hardship</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>J-1 Visa Student (Form DS-2019)</th>
<th>Sponsor</th>
<th>SEVIS Record</th>
<th>Full-Time Enrollment Requirement</th>
<th>Employment Types</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor can be UC Merced or IIE, Fulbright or others</td>
<td>SEVIS Record Required</td>
<td>Student is required to be in a full-time prescribed course of study or research at their sponsoring university. The only exception is for students on Academic Training.</td>
<td>On the campus of the sponsoring university up to 20 hours per week with ISSS approval or Academic Training</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Visa Types (E, H, R, TN or WT Visa)</th>
<th>Sponsor</th>
<th>SEVIS Record</th>
<th>Full-Time Enrollment Requirements</th>
<th>Employment Authorization as per relevant regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor may be any entity</td>
<td>No SEVIS Record</td>
<td>No full-time enrollment requirements</td>
<td>Employment authorization as per relevant regulations</td>
<td></td>
</tr>
</tbody>
</table>
US Immigration Documents & Regulations

The Basics
What is a Visa?

- The US visa is a picture page permanently affixed in a traveler’s foreign passport by a US Consulate after the visa approval.

- A visa enables the traveler to request permission to enter the US at the port of entry for the purpose of the specific type of visa.
Primary Purpose of Visa

International visitors must declare ONE primary purpose when they apply for their US visa

- F-1 Visa: Student Visa
- J-1 Visa: Student or Scholar
- H-1B Visa: Temporary Worker
- H-4 Visa: Dependent of H-1B
- E-2 Visa: Investor
- R-1 Visa: Religious Worker
- TN: Trade NAFTA
- WT: Visa Waiver
Important Facts About a Student Visa

• A visa can only be used to enter the US

• A visa has no significance once the traveler is in the US

• A visa is not authorization to:
  ➢ Remain in the US
  ➢ Study in the US
  ➢ Work in the US

• For employment purposes and documentation, it is okay if the visa expires while the student is in the US. The student would need to renew an expired visa if they left the US and planned on returning to the US to resume studies.
What is an I-94 Arrival-Departure record?

Previous Paper Format I-94 Card

New electronic format I-94:
Student prints this I-94 from the Customs & Border Protection website after arriving to the US.
What is I-94 Status?

- Authorization for an international visitor to be and remain in the US
- The I-94 along with the form I-20 or DS-2019 verifies a student’s duration of status
Form I-20
Duration of Status for F-1 Students

- Authorization for an F-1 visa student to be and remain in the US
- The I-94 along with the form I-20 verifies a student’s duration of status

The program end date noted in section 5 of the form I-20 is when the student’s status expires. A valid Employment Authorization Document (EAD Card) is required for employment if this date has expired.
Form DS-2019
Duration of Status for J-1 Students

- Authorization for an international visitor to be and remain in the US
- The I-94 along with the form DS-2019 verifies a student’s duration of status

The program expiration date noted in section 3 of the form DS-2019 is when the student’s status expires. The student can only work after this date if the international student advisor has approved the student for Academic Training.
What is Employment Authorization?

- Legal authorization to work in the US
- Approved and issued by various sources:
  - For F-1 students: International Student Advisor (Titled Designated School Official or DSO by Dept. of Homeland Security) and US Citizenship & Immigration Services (USCIS)
  - For J-1 students: International Student Advisor (Titled Alternate Reporting Officer or ARO by Dept. of Homeland Security)
- Employers are required to verify employment authorization before hiring
- Not related to having a Social Security Number/Card or tax filing status
- Always has an end date and often other conditions
To Review…ALL the pieces are connected

Primary purpose in the United States is to study

Maintain status and follow US Department of Homeland Security visa regulations

Lawful employment
Defining “On-Campus” Employment

• Work on the university campus that sponsors the student’s form I-20 (Student Assistant, TA or GSR)
• Work at off-campus locations, but treated as on-campus
  ➢ Educational affiliation (association with the established curriculum or related to contractually funded research projects at the post-grad level)
  ➢ Shared facilities (Castle facility in Atwater)
• If you are unclear if a job would be considered “on-campus” employment, please check with an International Student Advisor
Is this International Student Eligible to Work at UC Merced?

- Each document listed below must be valid (not expired)
  - Passport
  - I-94 Card or Electronic Print Out
  - Other supporting document:
    - F-1 Visa Student: Form I-20 (If expired, EAD Card Authorizing OPT)
    - J-1 Visa Student: Form DS-2019 & Official Letter from ARO in International Affairs authorizing employment
- If you are uncertain of the visa status and/or document validity, please call the International Student & Scholar’s Office at ext. 4722 or ext. 4801
**More Details About Employment Eligibility**

<table>
<thead>
<tr>
<th>If Student is Enrolled</th>
<th>If Student has Completed Their degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must be registered full-time during Fall &amp; Spring semesters</td>
<td>Not registered (I-20 or DS-2019 has expired)</td>
</tr>
<tr>
<td>UC Merced F-1 students: no authorization required for on-campus</td>
<td>F-1 students: Approved Optional Practical Training (OPT) with valid EAD Card</td>
</tr>
<tr>
<td>Non-sponsored F-1 student (enrolled at other school as required): Approved CPT (Listed on 3rd page of form I-20) or OPT (EAD Card)</td>
<td>J-1 students: Approved Academic Training (Employer listed on DS-2019)</td>
</tr>
<tr>
<td>J-1 students: Official letter from ARO in the Office of International Affairs</td>
<td></td>
</tr>
</tbody>
</table>
What Does Employment Authorization Look Like?

For F-1 visa students on approved Curricular Practical Training (CPT), there will be a notation on page 3 of the student’s form I-20 in two places.
What Does Employment Authorization Look Like?

For F-1 visa students on approved Optional Practical Training (OPT), the employment authorization will be in the form of an Employment Authorization Document (EAD) card but also noted on page 3 of their form I-20.
What Does Employment Authorization Look Like?

For F-1 visa students enrolled full-time at UC Merced, no authorization is required for on-campus employment. The form I-20 will show UC Merced as the sponsoring institution in box 2.

For J-1 visa students, a formal letter from the ARO in the International Students & Scholars Office is required.
Frequently asked Questions About
International Student Employment

1.) How early can an international student start work at UC Merced?
   • Up to 30 days before classes start for new students who entered
     the US with an initial UC Merced I-20
   • After issuance of UC Merced I-20 or DS-2019 for New Transfer
     Students in the US transferring from another US institution to UC
     Merced

2.) How many hours can a (currently enrolled) student work on campus?
   • Part-time - Up to 20 hrs. per week during Fall & Spring terms
   • Full-time during winter and summer breaks

3.) When does the student need to stop working?
   • A student must stop working at the end of their degree program
     (I-20 or DS-2019 expiration date) or if they have work
     authorization, the work authorization expiration date
Ten Steps to Hiring an International Student
Step # 1

Confirm whether or not the student is enrolled full-time in a UC Merced program of study
Step # 2
Determine whether the student needs employment authorization

• UC Merced sponsored F-1 visa students currently enrolled full-time have authorization for on-campus employment inherent to status therefore no prior employment authorization is necessary
• UC Merced sponsored J-1 visa students currently enrolled full-time only need the international student advisor’s authorization in the form of a letter
• All other internationals in other visa statuses or from other institutions must have employment authorization
Step # 3
Steps to Take When Hiring an International Student

• Make copy of relevant immigration documents for file
  • Valid Passport Picture/Bio Page
  • I-94 Card or Electronic I-94 Print Out
  • SEVIS Certification
    ➢ If F-1 Student: Form I-20
    ➢ If J-1 Student: Form DS-2019 & Letter from International Student Advisor

• EAD Card if applicable (Non-UC Merced sponsored students and/or if the program end date on I-20 has expired)

Ignore the US visa. It is irrelevant for employment purposes.
Step # 4
(Really just a follow-up to Steps 1-3)

- Review documents and call the International Center if you have any questions
- Things to check for:
  - Student MUST be registered full-time in a UC Merced program of study (or have proper employment authorization)
  - Passport must be valid (not expired)
  - I-94 notation should read F-1 or J-1 D/S (Duration of Status)
  - End date on I-20, Item #5 or DS-2019, Item #3 should be current (not expired) through duration of employment
  - J-1 students require Employment Authorization letter from the International Student Advisor to include valid beginning and end date for employment
  - EAD card if required should be current through expected employment period
Step # 5
Social Security Number/Card

• Obtain Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) from student
  - If student has recently applied for SSN or ITIN, request copy of application receipt and inform student copy of actual card/number will need to be submitted after it arrives in the mail
• If student has no SSN or ITIN, provide instructions on next slide or refer student to the International Center
How to Apply for a Social Security Number/Card

1. Obtain Job Offer Letter from employing department
2. Request Verification Letter from International Student Advisor in the International Center – KL 101
3. Visit local Social Security Administration Office and bring:
   - Passport, Visa & I-94 Card or Print Out
   - Form I-20 or Form DS-2019
   - Employer Job Offer Letter
   - Letter from International Student Advisor
4. Obtain receipt of SSN application
5. Wait 2-4 weeks for card to arrive by mail
6. Be sure to provide UC Merced with a copy of the card

International students who are not employed are NOT eligible to apply for a SSN number/card.
Individual Tax Identification Number (ITIN)

- NOT required or useful for a student with a SSN card/number
- For international students ineligible to apply for SSN (not employed), but who need to file a tax return for US income from sources such as:
  - Scholarships & grants
  - Dividends from investments
  - Other non-employment based income
Careful, don’t confuse an ITIN with a SSN

<table>
<thead>
<tr>
<th>Social Security Number SSN</th>
<th>Individual Tax Identification Number ITIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issued by US Social Security Administration</td>
<td>Issued by US Internal Revenue Service</td>
</tr>
<tr>
<td>Required for payroll deductions</td>
<td>Issued when needed for tax purposes and not eligible for SSN</td>
</tr>
<tr>
<td>One number good for life</td>
<td>Number can be recycled</td>
</tr>
<tr>
<td>9 digit number xxx-xx-xxxx</td>
<td>Also 9 digit number beginning with 9 9xx-xx-xxxx</td>
</tr>
</tbody>
</table>
More on SSNs & ITINs

• If student has SSN, use it vs. an ITIN
• ITINs remain pertinent until student is eligible and issued SSN
• Direct international students having trouble applying for SSN or ITIN to International Center – KL 101 or our website: http://iss.ucmerced.edu/social-security
Resources & Key Contacts

International Student & Scholars Office
http://iss.ucmerced.edu/

International Center
Kolligian Library – Room 101
(209) 228-4722

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