

OFFICE OF CAREER SERVICES

HOW TO HIRE INTERNATIONAL STUDENTS

The Office of Career Services (OCS) has prepared the following information for employers and international students. This document is designed to answer some of the most common questions employers have about hiring international students.

What are the advantages of hiring an international student?

International students can offer employers a wide range of skills and abilities:

- Proven English language ability and an understanding of American culture
- Multiple languages and cross-cultural skills
- Demonstrated motivation, maturity and flexibility
- Proven ability to adapt to new situations and different environments
- Knowledge of business practices in other countries
- A US education
- Diversification of your workforce

Can international students work in the United States?

International students generally hold either F-1 (student) or J-1 (exchange visitor) visas while studying in the United States. The US Department of Homeland Security's United States Citizenship and Immigration Services (USCIS) permits students in both categories to be employed part-time and full-time by US employers through Practical (F-1) or Academic (J-1) Training. The USCIS defines Practical Training as employment related to the student's field of study. Eligible students do not need to change their visa status to accept this type of employment.

How long are students eligible to work?

Students with F-1 visa status are eligible for up to 12 months of employment before completion of their degree or following graduation. Students with J-1 visa status are eligible for up to 18 months of employment before completion of their degree or following graduation.

How do students obtain permission to work?

A student on an F-1 visa will receive an Employment Authorization Document (EAD) from the BCIS upon recommendation of his/her school. Students must submit the appropriate forms as well as a fee to the BCIS. Adjudication may take approximately 6-8 weeks. A student on a J-1 visa receives authorization directly from his/her program sponsor.

What must I do to employ an international student?

An employer only needs to complete an I-9 form as they would for any new employee. No other special paperwork is required.

What will the student have as proof of employability?

A student who holds an F-1 visa will receive a laminated Employment Authorization Document (EAD) card, which is similar to a driver's license. It is issued by the USCIS upon receipt of a recommendation from the student's school.

A J-1 visa holder is authorized by his/her school and will receive an extended IAP-66 (pink immigration form) and/or an employment authorization letter from his/her program sponsor.

Should taxes be withheld from the student's pay?

Contribution for Social Security generally should not be withheld from the wages of non-immigrant students on authorized Practical Training; however, earnings from student employment are usually subject to federal and state income taxes. Refer to IRS publications 518 and 519 for additional information.

What if I want to extend the student's employment?

If the extended timeframe will occur while the student is currently enrolled in a degree program, s/he may be eligible to reapply for Practical Training. If the extended timeframe will occur once the student has completed their coursework, students are eligible for an H-1B (temporary worker) visa, which can provide three to six additional years of employment. A student with an F-1 visa, or a student on a J-1 visa not subject to a home residency requirement, may continue to be employed once an H-1B petition is filed by the employer and approved by the USCIS. However, it is only valid for employment with the company that filed the H-1B application.

What role do I play in obtaining an H-1B visa?

Employers should file an H-1B petition 3-4 months before Practical Training expires. Employers must obtain an approved Labor Condition application from the Department of Labor attesting to salary and working conditions in order to file for the H-1B status. The cost for processing this paperwork may be shared by the employer and the employee.

Are there any restrictions on obtaining an H-1B visa?

A student on a J-1 visa may be subject to a home residency requirement which requires him/her to return home for two years after the completion of Practical Training before changing to another visa status in the United States. He/she is ineligible for H-1B status until the residency requirement is fulfilled or waived.

Employers should remember that:

- They do NOT have to sponsor the student for a green card.

Employers are able to hire the candidate of their choice who meets the minimum qualifications.

For further information, please contact the International Students and Scholars Office (ISSO) at isso@columbia.edu.