

Work After Graduation

Graduate Studies End of Program Workshop
Fall 2013 - K. Ludovici

International Services Office - 213 Morey Hall - 585-275-2866



Agenda

- Overview
- F-1 Optional Practical Training
 - Eligibility
 - Application steps
 - Factors to Consider: Unemployment, Travel
- Possible Extensions: STEM & Cap-Gap
- H-1B Temporary Workers

Note: Presentation is intentionally brief & broad



Overview

- You will be graduating soon! What's next?
- *Your Goal:* To achieve a smooth transition from full-time student to employee.
 - Do you plan to work in U.S. and for how long?
 - Which types of work permission might be available to you?
 - What factors can you use to compare potential employers?
 - Are you prepared to discuss visa sponsorship?
- *ISO Goal:* To provide basic guidelines that help you in making important immigration decisions.



Overview, continued...

- Employment: Any work or service performed, in exchange for personal compensation:
 - Money
 - Any other personal benefit (other than experience alone)
- Employment authorization requires valid status.
- Work only with valid & documented authorization:
 1. Documented – Official approval from authorizing agent
 2. Active – Authorization start date must be reached



F-1 Optional Practical Training

- Benefit of maintaining F-1 (no change in status)
 - 12 months of OPT available at each higher degree level
- Work is either during or after academic program
 - **Pre-completion**
 - During academic year (part-time only)
 - During annual vacation term (part-time/full-time)
 - ★ **Post-completion**
 - ★ After degree requirements are satisfied (full-time)
 - ★ After completion of all requirements excluding thesis (full-time)



OPT: Eligibility

- Must have enrolled in a full-course of study for at least 1 academic year (9 months)
- Not previously authorized for 12 months of OPT at current or higher degree level
- Not been authorized for more than 12 months of full-time CPT
- No job offer is required to apply



OPT: Application Procedures

- **Step 1: ISO Recommendation**

- Departmental Recommendation Form, from Advisor & Dean
 - Determine appropriate completion date for degree requirements (must maintain registration & degree progress until this date)
 - Select eligible employment dates for work permission
- Submit paperwork with 1 week processing time for new I-20

- **Step 2: Authorization is granted by USCIS**

- Application fee of \$380, plus supporting documentation
- Employment Authorization Document (EAD), in 2-3 months
- Work may begin once EAD is received & start date reached



Application Window for OPT

Post-Completion OPT:

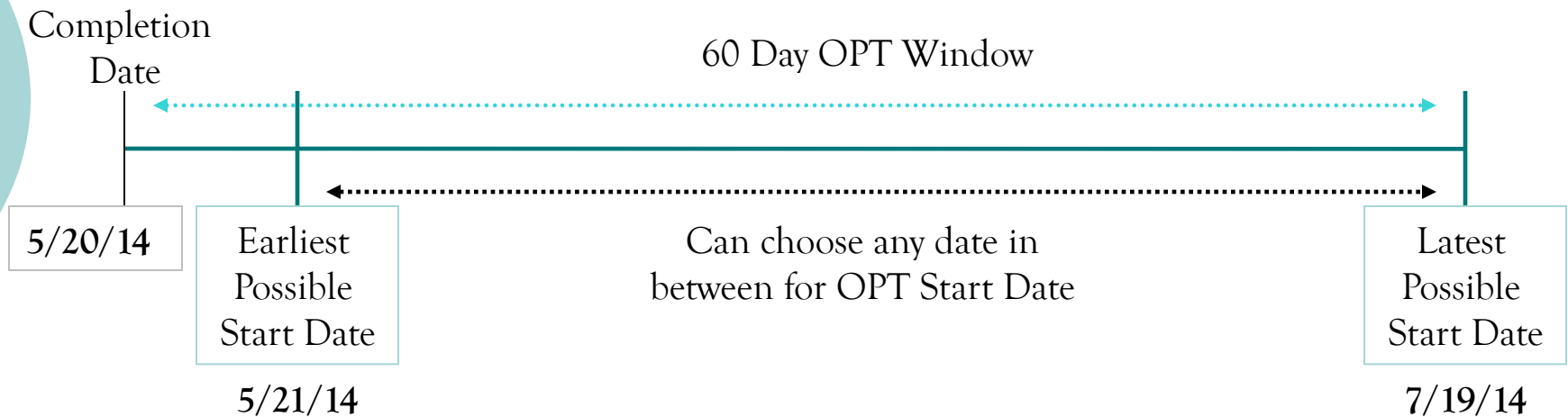
Date of Program Completion sets eligibility period

- May apply up to **90 days** *before* completion
- May apply up to **60 days** *after* completion
- Must apply within **30 days** of ISO's OPT Recommendation (New I-20)

* * Application Processing Time: 2-3 Months

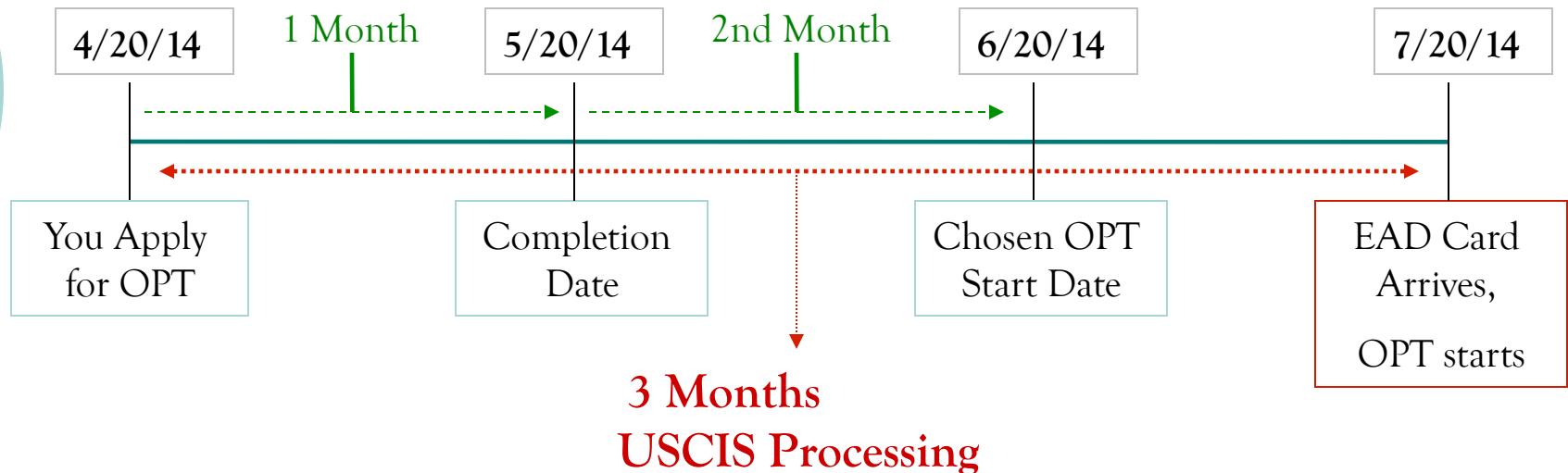
* * Impact to F-1 on-campus work permission as a student

OPT: Employment Dates



- Start Date: Must be within 60 days of Completion Date
- Eligible to apply for up to 12 months of OPT
- Estimated 2 to 3 months processing time
- Trade-off for date selection:
 - Earlier date, with no job → Unemployment!
 - Later date, with job offer → Can't work!

OPT: 2-3 Month Processing



- Not always best to wait until you have job offer
- Can't start work until EAD card has arrived!
- Typically not possible to expedite OPT application
- Latest possible end date for OPT is 14 months after completion date!



OPT Reporting Requirements

- Eligible employment
 - Related to your area of study (keep records!)
 - Authorized as full-time: 20 hours per week or more
 - Multiple employers are permitted
 - Report online:
<http://iso.rochester.edu/employment/students/opt/reporting.html>
- Basic changes to your status or information
 - Change in name, address, or email.
 - Change in immigration status (i.e. to H-1B).
 - Transferring to another degree program.
 - Plans to leave the country and not return to work.



Unemployment during OPT

- 90-day limit on unemployment
 - Counted once OPT begins
 - Not consecutive
 - Max reached: F-1 Status & OPT automatically end
 - If unemployment max is reached, grace period may be limited
 - You are eligible for a 60-day grace period at the end of your OPT if you maintain your status during the entire authorized period.
- Be strategic & think about alternatives
 - Find activities that will satisfy basic employment requirements, while still looking for “best job ever”



OPT: Travel Out of the U.S.

- **Always a risk when you travel out of the U.S.**
 - More risky when on OPT if you don't have a valid visa to return on!
- *Before completion date*
 - Must have: valid visa, passport valid 6 months into the future, & signed I-20
- *After completion but before OPT start date*
 - Must have: valid visa, passport valid 6 months into the future, signed I-20, & **Receipt Notice or EAD card if already issued**
- *After OPT start date*
 - Must have: valid visa, passport valid 6 months into the future, signed I-20, **EAD card, & proof of employment**

Please note: During OPT, travel signature on I-20 is only valid for 6 months.



OPT Extensions

- STEM Extension: Additional 17 months
 - Eligibility for those with majors in Science, Technology, Engineering, & Math [<http://www.ice.gov/sevis/stemlist.htm>]
 - Employer is enrolled in USCIS E-Verify database
(*University of Rochester is in E-Verify*)
- Cap Gap Extension: For H-1B applicants
 - Extends work permission from end of OPT to September 30th
 - Eligibility based on H-1B petitions filed while F-1 status is valid
 - Active permissions are extended based on petition date



H-1B Temporary Workers

- Employer-sponsored visa category/status
- Generally, relevant qualifications must be completed by filing date
 - Minimum Qualifications: Bachelors, in specialized field
- Annual Quota on new H-1Bs: 65,000, plus 20,000 to Advanced Degree Holders
- U.S. universities & non-profits are Cap-Exempt
- H-1B petitions to begin on 10/1 (start of U.S. fiscal year) may be filed as early as 4/1
- Travel considerations may apply



Take-Aways

- Rule #1: DON'T WORK WITHOUT PERMISSION!
 - Severe violation of status and a deportable offense
- Maintain your status to remain work eligible
- Apply early! (and do not e-file unless absolutely necessary)
- Report your employment while on OPT
- Additional resources from the ISO:
 - Forms and instructions are online
 - Schedule an appointment with an advisor: 275-2866

Questions?
