

U.S. Employer's Guide to Hiring International Students

The purpose of this document is to illustrate the ease of hiring international students from Notre Dame's Graduate School for internships during their time at Notre Dame or for career opportunities after graduation. The precedent for international students to obtain temporary U.S. work authorization is longstanding and well-established, and the application process is straightforward. The International Student and Scholar Affairs office (ISSA) at Notre Dame works with students to facilitate employment authorization, which is approved by the United States Citizenship and Immigration Service (USCIS).

Overview

All international students who are neither U.S. Citizens nor Permanent Residents enroll in academic programs under one of two non-immigrant student visa types, an F-1 or J-1. Since the majority of international students at the Graduate School are F-1 student visa holders, the focus of this guide will be on how to hire an F-1 student.

Hiring an F1 International Student for an Internship

- **Curricular Practical Training (CPT)** is work authorization that allows F-1 student visa holders to accept employment in their academic field. Notre Dame's graduate students are eligible to work part-time or full-time during the summer.
- **Employer Role:** Applying for CPT is solely the responsibility of the student and therefore requires no action on the part of the hiring organization.
- **Student Role:** After the student has been offered a summer internship, he or she submits an online application providing the internship start and end dates as well as the organization's name and complete physical address. This process is facilitated by the International Students and Scholar Affairs office at Notre Dame. In accordance with U.S. immigration regulations, Notre Dame graduate students who engage in part-time or full-time CPT must also enroll in a concurrent academic course.
- **Cost and Processing Time:** There is no cost to the employer. The processing and approval time for CPT is within 5-10 working days.

Hiring an F1 International Graduate for a Full-Time Internship or position

- **Optional Practical Training (OPT)** is work authorization that allows F-1 student visa holders who have graduated to gain practical work experience related to their major field of study.
- **Duration:** 12 months for F-1 graduates of Notre Dame.
- **Employer Role:** Applying for OPT is solely the responsibility of the student and therefore requires no action on the part of the hiring organization. OPT can be granted to the student with or without an offer of employment.
- **Student Role:** Obtaining OPT work authorization is a two-step process. First, the F-1 student submits an application which is processed and approved by an international advisor at ISSA. Second, the F-1 student mails in her/his completed ISSA documentation and required fee to the

USCIS to secure OPT work authorization. Once approved, the USCIS issues an Employment Authorization Document (EAD) card as proof of work authorization for the 12-month period. Students in STEM fields can apply for an additional 24 months for a total of 36 months of work authorization.

- **Cost and Processing Time:** There is no cost to the employer. ISSA processes the student's OPT documentation within 5-10 working days. The USCIS processing time for OPT takes an average of 30-60 days but can take up to 3 months; therefore, students are encouraged to apply as early as 90 days prior to graduation. The new employee must have the EAD card in hand to start work.

Hiring and Retaining Long-Term Global Talent

- **H-1B Visa:** Applications for H-1B visas are submitted to the USCIS by the sponsoring company on behalf of the international employee. Only 65,000 H-1B visas are given out for candidates who have completed undergraduate degrees, and an additional 20,000 are available for those who have completed graduate degrees in the U.S.
- **Duration:** H-1B visas are initially granted for three years, but can be renewed for a total of six years.
- **Employer Role:** The employer is responsible for filing the H-1B application on behalf of the international employee. Many companies find that retaining an experienced immigration attorney is helpful to facilitate the process.
- **Cost and Processing Time:** Inclusive of attorney and USCIS application fees, the total cost to apply for an H-1B visa is between \$5,000-7,000. The earliest date to apply for an H-1B is April 1. Historically, there has been a high demand for H-1B visas so it is strongly recommended that applications arrive at USCIS on April 1 or soon thereafter. Approved H-1B visas become effective October 1.
- **Special Cases:** Some non-profit, research and educational institutions are able to secure additional H-1B visas not subject to the yearly quota of 85,000. Citizens of Chile and Singapore, through a treaty with the U.S., are provided with a special allocation of 6,800 H-1B visas; as a result, these citizens have an easier time securing U.S. work authorization through the H-1B visa.

Additional Information

For employers wishing to hire a J-1 visa holder, there is no fee involved or action to be taken. The J-1 student simply obtains authorization from his/her visa sponsor (e.g. The Fulbright Program) to work for up to a total of 18 months. It is the sole responsibility of the student to complete the online application process and approval is generally granted within 5-10 working days. Consult ISSA's website for more information: <http://international.nd.edu/issa/jscholars/>

Helpful Resources

United States Citizenship & Immigration Services (USCIS) www.uscis.gov/portal/site/uscis

Department of Homeland Security (DHS) www.dhs.gov/index.shtm

Notre Dame International Student and Scholar Affairs (ISSA) <http://international.nd.edu/issa/>