

## **Employment for International Students (F-1 and J Visas)**

Employment of any kind without authorization is forbidden for students in F or J status. While campus employment is generally permissible, as are activities directly related to and/or required by a program of studies (with additional authorization), regulations governing employment and work for nonimmigrants in the U.S. are extremely strict, and include informal employment like monetizing social media, babysitting, the use of Name, Image, and Likeness (NIL) for international athletes, and anything else that exchanges time and energy for goods or services in addition to financial gain. Some “volunteer” activities are considered employment for immigration purposes and may not be allowed. The students’ physical location at the time the “work” is performed matters – even working for a company outside the U.S. is not permitted if a student is inside the U.S. Encourage students to discuss plans and ideas with an OGE International Student & Scholar Services team member before engaging in any activity that may be considered employment to prevent and jeopardizing their F or J status in the U.S.

Some common examples of unauthorized employment:

- Sponsored blogging
- Social media promotion of goods or services for which you receive compensation – INCLUDING “free” merchandise.
- Name Image Likeness activities for athletes (opportunities that are available to American teammates may not be available to the international athlete)
- Driving for Uber and Lyft
- Creating goods for sale (making jewelry, etc.)
- Import/export activities, even if the point of sales is overseas.
- Working for a company in the student’s home country while they are physically in the United States
- Working as a “volunteer” in a position that is normally paid, or is paid for certain activities
- Managing an investment property in the U.S.
- Day trading (buying or selling stocks occasionally is fine, but several hours a week or day, becomes active employment)

This article provides helpful insights into the area of authorized and unauthorized employment <https://cbkimmigration.com/employment-based-immigration/e-visas-for-entrepreneurs/faq-unauthorized-employment/>

**Social Security Numbers (SSN)** are required for legal employment in the United States. If students are authorized for employment and under UNC’s F-1 or J-1 immigration sponsorship, you may request a Social Security support letter through the UNC Global ISSS portal. [Having an SSN is not authorization to work.](#) Most international students will receive a “restricted” Social Security Card indicating it’s not valid for work without DHS authorization. See <https://www.ssa.gov/ssnumber/cards.htm> for SSN card types.

If a student already has an SSN, they should be encouraged to provide it to the UNC Registrar’s office (Individual Data Change Request form here <https://www.unco.edu/registrar/forms.aspx>) to track any future payments/scholarships they may receive from UNC. Students who get an SSN as a result of employment at UNC should provide it to Payroll.

**Employment for J-1 Students and F-2 and J-2 Dependents:** In certain circumstances, J-1 students may obtain authorization for off-campus work. Contact the OGE for information. J-2

dependents of J-1 students may apply for work authorization through US Citizenship and Immigration Services (USCIS). Contact ISSS staff for information about employment.

F-2 dependents of F-1 students are not eligible for any employment, on or off campus, at any time while in the United States. This includes informal employment like babysitting or social media work as well as any employment for companies outside the U.S. as long as the J-2 is physically residing in the U.S.

### **Employment that Can Be Authorized:**

**F-1 and J-1 On-Campus Employment:** F-1 and J-1 students who are maintaining status may work part-time on campus while classes are in session. “Part-time” means not more than 20 hours per week. F-1 students in valid status with an I-20 issued by UNC do not need special authorization to work on campus; however, J-1 students need written authorization from the Responsible Officer of their exchange visitor program. During vacation periods and academic breaks, students may work full-time on campus if they are returning to classes the following term. On campus employment has a particular meaning for international students:

*8 CFR 214.2(f)(9)(i)*

*(i) On-campus employment. On-campus employment must either be performed on the school's premises, (including on-location commercial firms which provide services for students on campus, such as the school bookstore or cafeteria), or at an off-campus location that is educationally affiliated with the school. Employment with on-site commercial firms, such as a construction company building a school building, which do not provide direct student services is not deemed on-campus employment for the purposes of this paragraph (f)(9)(i)....*

Therefore an international student may work for Sodexo on campus, as the dining halls and retail locations serve students, however, working for a LLC which hosts summer camps for high school students would not be permissible, even if the LLC is owned by a staff or faculty member..

International Student Exchange Program (ISEP) students must contact the ISEP coordinator at OGE as well as receiving ISEP’s authorization, before accepting on-campus employment.

**Off-Campus Employment:** Off-campus employment is limited to F-1 and J-1 students in colleges and universities who are pursuing academic studies, and is generally limited to employment that directly supports an academic program or individual class. English language students are not eligible for most off-campus employment. Working off-campus requires special authorization and is only available in certain situations. Contact the OGE office for information.

**J-1 Academic Training (AT):** is a type of paid or unpaid, authorized training, internship, practicum or employment for J-1 students. It may be taken during a student's program, or after the completion of a student's course of study (e.g., for internships, practica, post-graduation employment). AT is authorized by OGE for students with a DS-2019 issued by UNC. Students whose DS-2019 was issued by another Program Sponsor (ISEP, IREX, Fulbright, etc.), must seek approval from that Sponsor.

**F-1 Curricular Practical Training (CPT):** Curricular practical training (CPT) is work/study, internship, cooperative education, or another type of required internship or practicum in the student’s field of study while enrolled in classes or during a vacation period. Students may apply for curricular practical training if:

- They have maintained F-1 status for two semesters (exceptions for graduate students whose programs require earlier participation for all students),
- it is required by their program, and
- they are not enrolled in the Intensive English Program

*Students should apply for CPT for any off-campus training required for their program, including unpaid activities like student teaching, practicum, and unpaid internships or volunteer work required by the program.*

Students who have engaged in full-time curricular practical training for one year are not eligible for optional practical training. *Students in the IEP are not eligible for CPT.*

### **F-1 Optional Practical Training Before and After the Completion of Studies (OPT):**

Optional practical training (OPT) can provide an opportunity to gain work experience in the student's area of study. F-1 students may choose to do OPT either before or after they complete their degree (or a combination of both, for a maximum of one year). Students who complete a STEM degree may be eligible for an additional two year STEM OPT extension.

Students may be eligible to apply for optional practical training before or after completion of studies if:

- the training is related to the student's major area of study, and
- after they have maintained full-time student status for two consecutive semesters (in a status that allows full time study, even if it wasn't all in the F-1 category).

*Students enrolled in or completing the Intensive English Program are not eligible for OPT.*

**F-1 and J-1 Employment Based on Unforeseen Economic Hardship:** If, after one year of full time enrollment in their current program, a student experiences severe and unforeseen economic circumstances based on events beyond their control, they may be able to apply to US Citizenship and Immigration Services (F-1) or OGE (J-1) for off campus work authorization. Contact the Office of Global Engagement for information.

### **On-Campus Employment Processes for International Students**

This is specific to students who have F-1 or J-1 visa status in the U.S., and for whom UNC has issued their immigration support documents. It is important to remember that UNC has students who attend in many other visa statuses (and of course, undocumented or Dreamer students, who may or may not have work authorization). Other visa status categories may have the ability to be employed, and in some cases a J-2 would need the support of the Office of Global Engagement support (and in that case wouldn't be able to start work until USCIS makes a determination), but otherwise, the process doesn't run through the Office of Global Engagement unless we have issued the J-1 or F-1 documents for the student.

There are several processes many international students cannot actually start until their arrival on campus, as they won't have the correct documentation for employment and cannot apply for Social Security Numbers until they're here in the U.S. in a status that allows employment. Unless a student

has a previously existing bank account in the U.S. they also need to open one after arrival for direct deposit.

Employment processes are similar for international students as anyone else, as we can't discriminate employment processes based on national origin. There are differences in when the student is eligible for employment (usually 30 days before classes start, assuming they have all immigration paperwork and are here – there are some exceptions for transfer students that would allow them to start in the summer) in their first term, until they complete their program of studies. Even though university policy allows students to work at UNC as “students” the summer or semester after finishing their degrees, F-1 and J-1 authorization to work on campus is valid only until the end of their last semester of enrollment, unless they violate their immigration status, in which case, they lose eligibility immediately. After finishing required coursework, an international student needs other eligibility to work – anywhere. J-1 students' campus work has to be authorized by the Office of Global Engagement (or their Program Sponsor), and cannot be authorized for more than a year at a time (though it can be extended at the end of that year).

F-1 and J-1 students are limited by regulation to 20 hours of work or less per week when school is in session – that cannot be averaged for graduate students whose assistantships sometimes have more or less work during various periods, so it's important both you and they are aware of actual hours.

Penalties for international students working without authorization are very harsh, so if there are any questions, please reach out to the International Student & Scholar Services team in the Office of Global Engagement, and be sure to complete appropriate paperwork before the student begins work.

1. F-1/J-1 student applies for and is hired for a campus job, an offer letter or contract is provided – pen and ink signature on letterhead is needed (although we haven't seen issues with electronically signed GA contracts)
2. If the student is already here in the U.S. and has “checked-in” (provided all immigration documentation of arrival), and is enrolled in classes, the student goes into the UNC Global portal (accessible through Ursa) and does a Social Security Support Letter request if they don't already have an SSN. In that request they need to upload a copy of their employment letter or GA contract.
  - a. If they are a J-1 student, they also need to request on campus work authorization for J-1s.
  - b. If a student already has an SSN, they can skip to the I-9 step.
  - c. If the student hasn't completed the check-in process in the Global portal or hasn't registered full time for the appropriate kind of classes (for undergraduate students 9 of a minimum 12 credits must be face to face/hybrid; for graduate students 6 of a minimum 9 must be face to face/hybrid), they need to do both, so we can register their status in the federal SEVIS database.
3. A Designated School Official (F-1 students) or Responsible Officer (J-1 students) writes a support letter with a wet ink signature for Social Security (and or enters the information into the federal SEVIS database, where appropriate) – and emails the student when it's ready to be picked up.

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- a. J-1s also pick up their campus employment authorization letter (which must be included with I-9 paperwork)
4. Student picks up letter from OGE office in Wilson Hall, and takes it, along with all of their immigration documents (passport, visa, I-20 or DS-2019, I-94) to the Social Security office in Greeley to apply in person (instructions are provided with the support letter).
5. At their appointment with SSA, students need to request a confirmation letter to show they applied for their SSN, and they bring that to their campus employer to show they have actually applied (campus policy) and are now eligible to begin work. The SSN card gets mailed to the student, at which point they should bring it to Payroll (and it can be important to remind them they NEED to do that step).
  - a. Students cannot apply for SSNs more than 30 days prior to the start date of employment.
  - b. I-9s and other documents processed by campus employer as usual. I-9 regulations prohibit employers from specifying which documents to use, but for most F-1s, they need to present the I-20 issued by UNC, the I-94, and a valid passport, for J-1s, it's the DS-2019, I-94, letter of authorization from the organization that issued the DS-2019, and a valid passport. And of course, there are differences in documents presented for the I-9. The [M-274 Handbook for Employers](#) has helpful examples for international student documentation in section 7 Evidence of Employment Authorization for Certain Categories (currently [7.4 Exchange Visitors and Students](#)). Section 13 has examples documents students can present.
  - c. Notify Amy Sands, so she can add them to the Sprintax Calculus system, and Accounting can look at adjusting withholding depending nonresident or resident alien tax standing. Some students may be eligible for tax treaty benefits as well, and Calculus will determine that. It will also complete their W-4s correctly.
  - d. For W-4s, there are special instructions for Nonresident Aliens for Tax Purposes. Unless they have become a Resident Alien for Tax Purposes as defined by the IRS, nonimmigrant students must 1) check the Single or Married Filing Separately box regardless of actual marital status (See IRS Notice 1392 for more specific instructions, which they should use in completing their W-4s), and 2) write "NRA" above the dotted line in Step 4.
6. Process paperwork with Payroll & HR as you would for anyone else....

Students who go out of valid immigration status should cease employment immediately. While OGE notifies Payroll and HR when a student is no longer eligible for work on campus, we do not have direct access to employment information for students, so it's not possible for us to notify campus employers when a student needs to stop working. We are happy to answer questions as needed, when there is an issue with an individual student.

### **Offers of Employment for International Students (Required for SSN Applications)**

There are a number of ways to write an employment letter that you could use, depending on what your department usually does for offer letters: some departments have a form, others have a basic

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template, or use something like an [indeed](#) template. The simplest version is actually similar to what the Office of Global Engagement uses for the immigration portion (and actually helps OGE with information with the letter required for SSA). Please feel free to adapt as you see fit.

Any letter should be on letterhead and have a pen and ink signature, and blue or black ink is recommended.

Date

Social Security Administration  
5400 W 11th St suite A  
Greeley, CO 80634

To Whom It May Concern,

This is to certify that NAME, has been offered, or is already working in, the following on campus employment at the University of Northern Colorado.

Department:  
Job title:  
Nature of employment:  
Dates of employment:  
Hours per week:  
Supervisor:  
Supervisor's telephone:

Thank you for your assistance,

signature  
Name, Title

“Nature of employment” is literally what kinds of activities the student will be doing (can be general and does not need to be comprehensive of all job duties). Hours per week can be an estimate or a maximum, if there's not a set number. Note that to start employment on campus, students need the acknowledgement letter from SSA indicating that they've submitted the application to SSA. That will be included in the instructions the student gets from our team, but it never hurts to reinforce the message.

**Office of Global Engagement ISSS Team**

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