

F-1 EMPLOYMENT TABLE

(All off-campus employment requires authorization before start of employment / updated by Rolando M. Villalobos, Stanford Univ 3/20/08)

| Type of Employment | Eligibility Criteria | Length of Time Before Applying | Hours of Work Permitted Per Week | Length of Permit | Documentary Support Needed | Advantages | Disadvantages | Forms Needed | Procedure | Federal Code Section |
|--|--|---|--|---|--|---|---|--------------------------------|---|---|
| On-Campus | Must maintain F-1 status | Must be in F-1 D/S | 20 hrs. during academic year may be full-time (over 20 hrs.) during vacation periods | May work up to completion of studies. | Valid I-20 ID only | Able to look for work immediately on-campus. Does not usually affect OPT. | Campus jobs may be hard to find; campus work pays less than off-campus | None | None. No permit or authorization needed from DSO or USCIS | 8 CFR 274a.12(b) (6)(i) & 214.2(f)(9) (i) |
| International Organization | Employment based w/recognized international organization (i.e. World Bank) | Does not have to be in status an academic year prior to beginning employment | Part-time (20 hrs. or less) during academic year. May be full-time (over 20 hrs. a week) during vacation periods | Up to 1 year (may be issued in increments of 1 year) | Letter from organization & Valid I-20 | Does <u>not</u> affect OPT | Should carefully consider where to file application. Application process is not clear to California Service Center and could be confused for an OPT application. Regs state to apply with Center having jurisdiction over residence | I-765 | DSO endorses I-20 (page 3). Student submits I-765, and written certification from employer of scope of job, and photocopy of I-20 to USCIS office having jurisdiction at the time of application. USCIS issues EAD. | 8 CFR 274a.12(c)(3)(ii) & 214.2(f)(9)(iii) |
| Economic Hardship | Very difficult, only if need unforeseen & urgent and no on-campus work available | Academic year in F-1 D/S | Up to 20 hrs. during academic year; Can be full-time (over 20 hrs. a week) during vacation periods | Initially may be issued up 12 mos. (renewable) | Letter from school that explains unforeseen need very convincingly | Can engage in any kind of work off-campus. Does NOT affect OPT. | Very difficult to substantiate unforeseen need | I-765 | DSO endorses page 3 of I-20. Student submits I-765 & photocopy of I-20 ID with supporting documents to the US CSC. CSC issues EAD. | 8 CFR 214.2(f)(9) (ii)(c) & <u>274a.12(c)(3)(iii)</u> |
| Curricular Practical Training 1)Required for degree (see #1) 2)Course credit (see #2) 3)Co-op (see #3) | Work must be related to studies AND: 1)Be required by degree or 2) Confer course credit or 3)Be a Co-op education job | 1) No minimum period (must be in F-1 D/S) 2) academic year in student status, must be F-1 D/S when applying 3) (see #2 above) | 1) Can be full-time 2) 20 hrs. during academic year Full-time (over 20hrs. a week) during vacation periods 3) Can be full-time | All types: Rarely issued for over 12 months. (Can be longer if required by degree) | Letter from employer AND: 1)Detailed letter from advisor about work requirement 2)Course credit 3) Letter from Co-op office | All types: Part-time work does NOT accumulate or deducted from OPT; Type #1 can be full-time during academic year; full-time CPT normally does not affect OPT unless 12 full-time months of CPT are issued. | Conditions may be difficult to meet; Optional PT forfeited if Curricular PT is done for > 12 months | *Form I-538 no longer required | All types: DSO endorses I-20 on page 3. Processing times vary 1-2 weeks. | 8 CFR 214.2(f)(10)(i) |
| Optional Practical Training (Academic Year) | Work must be related to field of study | Academic year in student status Must have F-1 D/S when applying | No more than 20 hours per week | Not to exceed academic year | Letter from Academic Advisor recommending PT | Can get job off-campus in field of studies after 1 st academic year | Time deducted from 12 months of Optional PT at 1/2 time rate. | I-765 | DSO endorses I-20 page 3.. Student submits I-765, and photocopy of I-20 ID and supporting documents to the USCIS CSC. CSC issues EAD in 3 months | 8 CFR 214.2(f)(10) & (11); <u>274a.12(c)(3)(i)</u> |
| Optional Practical Training (Vacation Period) | Work must be related to field of study | Academic year in student status Must have F-1 D/S when applying | Can be full-time | Not to exceed vacation period | Letter from Academic Advisor recommending PT | Summer job in one's field available w/o using Curricular PT | Time deducted from 12 months of Optional PT | I-765 | DSO endorses I-20 page 3.. Student submits I-765, and photocopy of I-20 ID and supporting documents to the USCIS CSC. CSC issues EAD in 3 months | 8 CFR 214.2(f)(10) & (11); 274a.12(c)(3)(i) |
| Optional Practical Training (Courses Completed, Thesis Pending) | Work must be related to field of study | Academic year in student status Must have F-1 D/S when applying | Can be full-time | Up to 12 months | Letter from Academic Advisor recommending PT & confirming courses completed | Can start work while finishing thesis or dissertation | Time deducted from 12 months of Optional PT | I-765 | DSO endorses I-20 page 3.. Student submits I-765, and photocopy of I-20 ID and supporting documents to the USCIS CSC. CSC issues EAD in 3 months | 8 CFR 214.2(f)(10) & (11); 274a.12(c)(3)(i) |
| Optional Practical Training (Post-Completion) | Work must be related to field of study | Academic year in student status. Must have F-1 D/S when applying | Must be full-time | Up to 12 months, minus any OPT already used | Graduation letter from Academic Advisor noting expected date of completion of studies | Employment offer not needed to qualify for EAD | Strict limit of 12 months total time on all forms of Optional PT | I-765 | DSO endorses I-20 page 3.. Student submits I-765, and photocopy of I-20 ID and supporting documents to the USCIS CSC. CSC issues EAD in 3 months | 8 CFR 214.2(f)(10) & (11); 274a.12(c)(3)(i) |

Abbreviations Key *(F-1 Employment Table amended by Rolando M. Villalobos, Stanford University, March 17, 2008)*

DSO=Designated School Official

D/S=Duration of Status

EAD=Employment Authorization Document

ID=Identification

I-20=Certificate of Eligibility for F-1 Student Status

I-538=Certification by Designated School Official although mentioned in CFR it is no longer required.

I-765=Application for Employment Authorization (Fee = 180.00)

CSC = California Service Center (One of four USCIS Service Centers in the U.S. involved in issuing EAD's in about **90+** days)

USCIS= US Citizenship and Immigration Services

OPT = Optional Practical Training

CPT = Curricular Practical Training

Part-time employment = 20 hours a week or less

Full-time employment = over 20 hours a week

NOTE: On June 10, 1998 the Special Student Relief program was created to assist students whose funding came from the following countries: Indonesia, South Korea, Malaysia, Thailand, Philippines.

(Currently, the provisions are still in effect for the 5 designated countries until the Attorney General rescinds them.)