

OVERVIEW OF EMPLOYMENT FOR STUDENTS

This section explains how "employment" is defined by the US immigration regulations and describes the types of employment that may be available to you.

Eligibility and Application Requirements

A basic requirement for all types of employment is that you must maintain continuous and lawful status. To remain eligible for most types of employment you must limit your work to no more than 20 hours per week while school is in session. Do not assume that you are eligible to work without first contacting the Center for Intercultural and International Programs (CIIP), Music Building, room 105, 520.5491.

Definition of "Employment"

"Employment" is work performed or services provided in exchange for money, tuition, fees, books, supplies, room, food, or any other benefit. If you receive no pay or other benefit for an activity, it may be considered "volunteer work" instead of employment.

INFORMATION FOR STUDENTS IN F-1 STATUS

On-Campus Employment "Incident to Status"

General. Work on campus is usually permissible if it meets certain requirements. Immigration regulations state that this employment is automatically authorized for any student in lawful F-1 status. If this is your initial entry to begin a new program of study, you may begin on-campus employment up to 30 days prior to the start of classes. If you are transferring from one US University to another, you may only work on-campus at the school having responsibility to monitor your F-1 status. *In order to work on campus, you must fill out the on-campus employment eligibility form at CIIP and submit it to your employer.*

Type 1: Employment from XULA. On-campus work is always acceptable, whether it is employment in your academic department, the library, the computer center or the housing office. Work required by a scholarship, fellowship, or assistantship is also acceptable.

Type 2: Other Employment on XULA's Campus. Work performed on XULA's grounds or premises for an outside contractor or firm is considered to be on-campus employment as long as the employer provides direct services to students. An examples of this is the XULA bookstore.

Type 3: Work Off Campus Which Qualifies as On-Campus Employment. Immigration defines some types of employment off campus as "on-campus employment." For employment to be so defined, there must be an official relationship between XULA and the off-campus employer, the work must be associated with your college's curriculum or related to a graduate level research project, and the employment must be an important part of your program of study.

Off-Campus Employment Based on Severe Economic Hardship

If you are suffering from severe economic hardship based on unforeseen circumstances beyond your control and have been in valid F-1 status for 1 year, you may be eligible to apply for off-campus employment permission.

Off-Campus Employment under Curricular Practical Training

Some work experiences which are an important part of your study program may be considered "curricular practical training." These experiences may include alternate work/study programs, internships, cooperative education programs, and practicum experiences. Any student who works for one year or more in full-time curricular practical training is not eligible for optional practical training.

Off-Campus Employment based on an Internship with an International Organization

If you are maintaining lawful F-1 status and want to participate in an internship with a recognized international organization, such as the United Nations or the World Bank, you may obtain written permission to engage in this work. You must maintain your F-1 student status while employed by such an organization.

Off-Campus Employment under Optional Practical Training (OPT)

You may be eligible to be employed in a job which is directly related to your major field of study for up to one year. Such employment may take place at any location in the United States. It falls into four categories: (1) employment during your annual vacation if you were enrolled and intend to register for the next term; (2) employment while school is in session, provided that you work no more than 20 hours per week; (3) employment after you have completed all of your course requirements except your thesis or dissertation; and (4) employment after you have completed your studies. Due to recent changes in regulations governing OPT, please discuss your plans in advance with a CIIP advisor. Permission to work on OPT is granted by USCIS.

INFORMATION FOR ALL STUDENTS

Tax Concerns

In general, international students who have been in the United States less than five years are exempt from Social Security (F.I.C.A.) taxes. However, your earnings are subject to applicable federal, state, and local taxes. All employees must complete the Foreign National Tax Information Form with the International Tax Coordinator. Students must file a tax return on or before April 15 of each year. Students may be entitled to a refund of taxes withheld from their wages if the amount of tax owed is less than the amount withheld.

A Note of Caution

While immigration regulations provide a variety of opportunities for you to be employed during your time as a student, working improperly or without authorization is a serious violation of your status. You should therefore consult with CIIP before taking up any employment. It is your responsibility to comply with all immigration regulations that apply to students. CIIP staff is responsible for advising and counseling you regarding your rights and responsibilities. If you fail to meet your responsibilities, you may not be eligible for benefits normally granted to students with your immigration status.

Employment for Dependents

Immigration regulations prohibit all employment for **F-2** dependents (spouses and children of F-1 students).