An Employer’s Guide to Hiring International Students

This handout is designed to clarify the legal obligations of both the employer and the international job applicant and to encourage prospective employers to include international graduates in their company’s human resource development plan.

Verifying Employment Eligibility: Completing the I-9
The Immigration Reform and Control Act (IRCA) of 1986 did not change the rights and privileges of nonimmigrant students wishing to accept a job in this country. For employers, the new law prescribed specific procedures to be followed in verifying the employment eligibility of every person hired after November 6, 1986. All employees, including international students, must complete the I-9, Employment Eligibility Verification form. This is simply a record that the employer has verified the identity and legal employment eligibility of every person hired.

Optional Practical Training (or “OPT”) Employment After Graduation
International students generally hold the F-1 student visa. The U.S. Citizenship and Immigration Services (USCIS) permits employers to hire students, who have completed their course of study, under “practical training,” which is a benefit of the F-1 visa. USCIS defines practical training as employment related to the student’s course of study. Eligible students need not change their visa status to accept this type of employment. More information can be found at http://www.uscis.gov/

Time Limits for OPT
- F-1 students may work for up to twelve months as practical trainees.
- Some F-1 students may qualify for a STEM 17-month extension, but the code for the student’s degree program must be on the list of STEM degrees and the employment must meet certain requirements. The National Center for Education Statistics (NCES CIP codes) produces degree codes that show which programs of study have been designated by ICE as science, technology, engineering, or math (STEM) degrees that qualify for a 17-month STEM extension of optional practical training (OPT) under the provisions of 8 CFR 214.2(f)(10)(ii)c. The complete list is available here.
- Employers must also be enrolled in the federal E-Verify program to employ a student on a STEM OPT extension. Details on the program can be found at http://www.uscis.gov

Little Paperwork for the Employer
All paperwork is handled by the student and ISSS office. In some cases an employment offer letter is required.

Long Term Employment: Changing to a Different Visa
Federal regulations require that employment terminate at the conclusion of the training period. However, in most cases, the international student may continue to be employed, provided that a change to another visa type is approved by the immigration service. An H-1B is a common work visa to transition into after OPT.