

## FOR EMPLOYERS

# HIRING INTERNATIONAL UMASS AMHERST STUDENTS

*Answers to the most common job search  
and hiring questions*



**BROUGHT TO YOU BY**  
**University of Massachusetts**  
**Amherst**  
**International Programs**  
**Office**  
**and Career Services**



### Employers often have questions...

...about how to get the benefits of our University's global talent pool, while obeying immigration regulations. The International Programs Office (IPO) and Career Services are here to make it easy for you by dispelling some common misconceptions, and sharing some best practices around the hiring of international students:

#### **Does the hiring employer need to sponsor an international student?**

No, not initially. The most common type of student visa (F-1) allows for an initial 12 months of full-time work authorization. This is called Optional Practical Training (OPT) and is a direct benefit of the student's current F-1 visa status. The student simply applies for OPT through UMass Amherst. IPO directly assists students and processes all of the OPT application materials with United States Citizen & Immigration Services, or (USCIS).

#### **Does the hiring employer have to "pay extra" to hire an international student?**

No. The student pays the OPT application fee directly to United States Citizen & Immigration Services (USCIS). There is no cost to the employer.



### **Is a formal job offer necessary before a student can apply for OPT?**

No formal job offer is necessary to apply for OPT. The student applies for OPT independently as they prepare to graduate from UMass Amherst and pursue employment in the US. An employer does not need to take any action for a student to apply for and obtain OPT. However, any employment undertaken while on OPT must be related to the student's specific academic major.



### **What happens after the initial 12 months of OPT expires?**

For students who majored in STEM fields (sciences, technology, engineering or mathematics) an OPT extension of 24 months is available to the student (effective May 10, 2016). As before, the international student reapplies for the 24-month STEM OPT extension through the UMass Amherst International Programs Office and USCIS.

### **What if a student doesn't have an F-1 student visa?**

If an international student does not possess an F-1 student visa, they most likely have a J-1 visa. Similar to OPT for F-1 students, the J-1 visa offers 18 months of initial work

authorization in the US, known as Academic Training (AT). Unlike OPT, authorization of AT status *does* require a job offer. UMass Amherst IPO authorizes a student for AT after verifying the job offer. There is no application fee and no USCIS application required for AT.

### **What visa options exist once OPT or AT expires?**

Generally employers will pursue the H-1B specialty occupation visa for longer term employment commitments. Currently H-1B visas are numerically limited or “capped” each year. However, additional allotment of H-1B slots exist for students from Chile and Singapore.



### **Does an employer have to prove there are no qualified American workers for the job position?**

No. There is no such employer requirement for hiring international students with OPT and AT. To apply in the future for an H-1B visa, an employer only needs to demonstrate that the specific employment can be broadly defined as a “specialty occupation” with a minimum of a bachelor’s degree required for the position.

### **Does the employer need to file for a “Green Card” for the international student?**

US Permanent Residency (Green Card) is not an immediate requirement when hiring an international student. Conceivably an international employee could work for 12 months, plus an additional 24 months for STEM students, plus up to an additional 6 years with an H-1B visa before permanent residency would be necessary. Permanent residency has a variety of both employment-based and family-based avenues that differ greatly based on a person’s education, type of employment, citizenship, etc.

### **What other prospects exist for hiring international students?**

A.) Current US immigration regulations allow for a variety of different types of specific visas for areas of employment such as nursing, investing, intercompany transfers, and foreign media employees among others. (See <http://www.uscis.gov/working-united-states/working-us> for more information.)



B.) Citizens of Mexico and Canada can take advantage of special employment provisions under the Trade NAFTA (TN) agreement (<http://www.uscis.gov/working-united-states/temporary-workers/tn-nafta-professionals>)

C.) Several non-partisan bills in Congress are currently in committee which seek to substantially expand the number of H-1B visas available for each government fiscal year. Additionally, provisions to streamline and encourage startups and entrepreneurial endeavors by international students are also being considered in Congress.

### **Ask Us!**

The UMass Amherst International Programs Office, in partnership with Career Services, is always available to answer your questions about hiring international students.

