



## OPT Factsheet for Employers

Getting permission for international students to work in the U.S. is not as difficult as many employers think. Most typically, international students are in the U.S. on an F-1 non-immigrant student visa, and these international students are eligible to accept full-time employment in their fields of study upon graduation under certain conditions through the Optional Practical Training (OPT) program.

**Optional Practical Training (OPT)** must be authorized by U.S. Citizenship and Immigration Services (USCIS) and is based on a recommendation from the school the student is graduating from. Students are eligible for 12 months of OPT for each higher degree level (bachelors, masters, doctoral degree). Students who obtain a degree in Science, Technology, Engineering, and Mathematics (STEM) may be eligible to extend their OPT for an additional 24 months, if their employer participates in the federal E-verify program. The student may only engage in employment that trains them directly in their field of study (i.e. their major).

**Employment Authorization Document (EAD):** Students who have received OPT permission will be issued an EAD by the USCIS. Their name, photo and valid dates of employment are printed on the EAD. Employers should note that the average processing time for USCIS to issue the EAD is two or three months, and students may begin employment only after they receive the EAD which will indicate the start and end dates of employment. Typically, students apply for OPT authorization in their last semester of study and have the EAD in hand by the time they graduate. This makes the transition to employment fairly seamless. Students who have a timely filed and pending STEM OPT extension application can continue working for up to 180 days while the application is pending.

### Minimal Paperwork for the Employer

Fortunately, there is little paperwork for an employer who hires F-1 students on OPT. Generally, all paperwork is handled by the students, the school, and USCIS. No paperwork is required by employers for their initial 12 months of OPT. For the 24-month STEM OPT extension specifically, F-1 students will work with their employers to complete a training plan which is required by USCIS.

### Continuing Employment after the Practical Training Period

Federal regulations require that students terminate their employment at the conclusion of the authorized practical training. However, students on an F-1 visa may continue to be employed, if they receive approval for a change in visa category-usually to an H-1B. Students must have a minimum of a bachelor's degree in order to qualify for H-1B status.

Individuals may work in the U.S. for a maximum of six years under an H-1B visa. This visa is valid only for employment with the company that petitioned for them. They must re-apply to the USCIS if they wish to change employers. As soon as the initial job offer is made, they should petition for an H-1B visa if employment is likely to extend beyond the practical training period.

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