

F1 Visa and Work Options for International Students

International students in the US need to obtain F-1 visa before starting a study program. Many students want to gain work experience and participate in internships/ work opportunities related to their course of study. Therefore, F-1 students have part time as well as full time work options if they meet certain conditions.

If you are an F student, you have the option of training in the United States by engaging in practical training during your program or after the end of your course. There are two types of practical training available for F-1 students: curricular practical training (CPT) and optional practical training (OPT).

Generally, an F-1 student (registered as a full-time) can work on campus for up to 20 hours per week while studying (when school is in session), and up to 40 hours per week during school breaks. This employment is on-campus meaning that it may be for the school or for a business located on the campus that provides direct services to students. Students who are experiencing severe economic hardship based on unforeseen circumstances, such as currency fluctuations or natural disasters in their home country, are eligible for employment off campus as well.

CPT and OPT-explained

“Curricular practical training” (CPT) is authorized by the designated school/University student advisor (“DSO) during the course of study. OPT is a one year work authorization issued by USCIS. It is authorized for programs where work or internship is either required by the degree program or is part of the course. CPT can be obtained in alternate work/study programs, internships, cooperative education programs and practicum experiences etc.

- a. CPT is integral to your major and the experience must be part of your program of study.
- b. Part-time CPT is classified as 20 hours per week or less. Full-time CPT is more than 20 hours per week.
- c. CPT authorization is date-specific and employer-specific. It requires letter from the employer.
- d. When you enroll at the graduate level, your designated school official (DSO) may authorize CPT during your first semester if your program requires this type of experience.
- e. School DSO will provide you a new [Form I-20](#), showing approval for employment.
- f. You can work on CPT either full-time or part-time.
- g. If you have 12 months or more of full-time CPT, you are ineligible for OPT,

“Optional practical training” (OPT) must be approved by USCIS after the foreign student advisor recommends it. It is 12 months of full-time work authorization that a student may take during school breaks, while school is in session, after completion of all course requirements. The employment may be full-time or part-time, but it must be part-time if the student is still attending

courses. Students in a STEM field may also be eligible for an additional two years of OPT where the student must complete a minimum of 20 hours of work per week.

- a. OPT must relate to your major or course of study.
- b. You can apply for 12 months of OPT at each education level, (i.e., you may have 12 months of OPT at the bachelor's level and another 12 months of OPT at the master's level).
- c. Your DSO will provide you with a new Form I-20 with recommendation for employment.
- d. Job offer is not required for OPT
- e. For work authorization, you must obtain EAD from USCIS
- f. Wait to start work until after you receive your EAD.
- g. While school is in session, you may only work 20 hours per week.

OPT must relate to your Major

Federal regulations require that all employment while on OPT be *directly related* to your study major. As part of your OPT reporting requirements, you must provide a description demonstrating a logical connection between your regular job duties and your major area of study. The burden of proof is on the student to demonstrate the relationship to USCIS.

When to Apply

It is important to understand and follow the timelines for applying for OPT. Most Universities and colleges provide this information in their orientation sessions for international students. F-1 student must be physically present in the United States at the time USCIS receives your OPT application. If you leave the United States after your program completion without applying for OPT, you will be ineligible to return in F-1 status to apply for OPT.

You can apply for OPT up to 90 days before and up to 60 days after your expected program completion date. USCIS must receive your full and complete OPT application no more than 60 days after your expected program completion date. In addition, USCIS must receive your application within 30 days of when DSO recommends your I-20 for OPT.

Student must request a particular OPT start date when making the application to USCIS for EAD. Start date is the day on which you would like to start your OPT work authorization. Important Points to consider are:

- a. The requested start date must be within 60 days of your program completion date.
- b. Your approved start date will appear on your EAD card and may be later than your requested start date, depending on when you apply for OPT and how long it takes USCIS to approve it. Please note that you may not begin working until your approved EAD start date, regardless of the requested date on your I-20.
- c. Days of unemployment only begin after the approved start date listed on your EAD. If you choose an earlier start date, you may be able to begin your employment earlier, but if you don't find a job, you will begin accruing unemployment days sooner. If you choose a later

start date, your unemployment days will begin accruing later, but you'll have to wait longer to begin employment.

Report the OPT Employment

Student must report the OPT employment or volunteer work within 10 days of start date and anytime there is a change in address or employer. Reporting your employment is important because the Department of Homeland Security (DHS) must verify that you are employed and not in violation of the 90-day unemployment rule (you cannot accumulate more than 90 days of unemployment from the start date listed on your EAD card). You can update your employment details directly to your SEVIS record through the SEVP Portal.

90 Day Unemployment Rule

F-1 Students on post-completion OPT can accumulate up to **90 days of unemployment**. The 90 days start counting from your approved EAD start date and are cumulative. If you accumulate 90 days or more of unemployment, you are in violation of your F-1 status. You are expected to leave the U.S., transfer to another school, or change your visa status within 90 days.

Students who are granted a 24-month extension are given an additional *60 days* of unemployment for a total of 150 days over their entire post-completion OPT and STEM periods.

Approved vacation from a job does not count as "unemployment" if you are still considered an employee there. Jobs that are fewer than 20 hours per week will count towards the 90-day unemployment limit.

Pre-completion OPT and CPT-Difference

Pre-completion OPT is approved by USCIS while CPT is approved by student advisor. There is a fee (USCIS processing fee) for obtaining the OPT while none for CPT. OPT is processed as per the processing timelines of USCIS while CPT is usually processed within a couple weeks of applying. For Pre-completion OPT the Positions must be related to your major. No internship course or internship degree requirement is needed. For CPT, not only the positions must be related to your major but Work must be required for an internship course, the completion of your dissertation or thesis, or a degree requirement.

STEM Education-24-Month STEM OPT Extension

All F-1 students who received a science, technology, engineering or Mathematics degree (undergrad level or higher level) are eligible for a STEM OPT extension

You may qualify for an additional 24 months of OPT under the following circumstances:

- a. You are currently participating in a regular period of OPT.
- b. You received a science, technology, engineering or mathematics (STEM) degree at an undergraduate level or higher and seek a training opportunity related to this degree.

- c. You received your qualifying STEM degree from an accredited SEVP-certified college or university.
- d. Your employer must use the E-Verify program.
- e. You and your prospective employer have completed and signed the Form I-983, "Training Plan for STEM OPT Students."
- f. Once your DSO verifies Form I-983, they will provide you with a new Form I-20
- g. Apply and must obtain EAD from USCIS before starting work

Working on Expired EAD for OPT

You may continue to work on your expired EAD for OPT up to 180 days while your 24-month extension petition is pending if you meet the following conditions:

- You are currently in a period of post-completion OPT.
- You filed your application for the 24-month extension with USCIS timely.

Ravneet Brar, attorney-at-law is ready to help you with all your queries related to F-1 International students or aspirants, OPT applications and extensions. She works in the area of Immigration law and Global Mobility.