Hiring International Students
(A Guide for Employers and International Students)

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Davidson College enrolls almost 100 international students on temporary visas. These students are not U.S. citizens or U.S. permanent residents ("green card holders"), but their Davidson education combined with their multicultural and multilingual skills make them a potential asset to U.S. employers.

This handout is designed to clarify the legal obligations of both the employer and the international job applicant, and to encourage you as the prospective employer to include these talented graduates in your human resource development plan. Employment authorization to work in the U.S. is not as difficult to obtain for international students as is commonly thought.

Davidson’s International Student Advisor is willing to discuss the applicable laws and regulations with you, and if requested by an international student, review the specific legal status of the job applicant enrolled or recently graduated from Davidson.

**Short Term Employment: "Practical Training"

International students at Davidson generally hold the F-1 (student) visa. The U.S. Citizenship and Immigration Services (USCIS, formerly known as INS) permits employers to hire F-1 students in a status called "practical training." Practical training is employment related to the student's course of study. Eligible students need not change their visa status to accept this type of employment, and employers are not responsible for the work authorization paperwork – all paperwork related to practical training is handled by the student and either the International Student Office or USCIS. Practical training may occur before or after a student graduates:

*Curricular Practical Training (CPT)* is authorized by Davidson College for curricular-related employment before graduation. Students may pursue summer jobs, internships, or research opportunities with CPT. Students on CPT are eligible to work part-time during the school year and part- or full-time during the summer, though 12 months or more of full-time CPT will render students ineligible for OPT after graduation.

**Work authorization documented on 3rd page of I-20**

*Optional Practical Training (OPT)* is authorized by USCIS typically after graduation. Students may pursue any work experience on OPT that is related to their academic program and commensurate with their degree level, as long as they are working 21 hours or more per week. Students are eligible for 12 months of OPT after each degree level. Additionally, students receiving a degree in Science, Technology, Engineering or Math (STEM) may be eligible for an additional 17 months of OPT.

**Work authorization documented on an Employment Authorization Document (EAD), issued by USCIS**

**Taxes for International Student Employees**

International students do have taxes withheld from income earned in the U.S., with some notable exceptions.

- Generally, F-1 students are exempt from social security and Medicare withholding. However, if the F-1 student is considered a "resident alien" for tax purposes, the FICA/FUTA taxes should be withheld. IRS publication 519 includes information about how to determine the residency status of international students.

- Over 50 countries have tax treaties with the United States. Students from a tax treaty country may have part of their income exempt from federal taxation. Summaries of these treaties can be found in IRS Publication 901, which is available at the IRS website.
Long Term Employment: Changing to a Different Visa

Federal regulations require that employment terminate at the conclusion of practical training. 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. Following is a description of the most common work visa.

Temporary Worker (H-1B) Visa

- The employer petitions for the H-1B, or Temporary Worker Visa, through the Department of Labor and USCIS
- The employee may hold this visa for up to six years (granted in two three-year periods)
- The H-1B visa is intended for employment in a "specialty occupation"
- The entire process can take up to 4-6 months for the new immigration status to be granted to the employee
- Legal consultation is strongly recommended

Points to Remember:

Why hire international students?

- Highly motivated
- Language proficiency
- Intercultural competence
- Global network
- Adaptable and resourceful
- Strong company loyalty

Remember, international students make for talented multicultural and multilingual employees. And...

- Minimal paperwork is required to hire an international employee

Information in this brochure has been adapted from the publications of New York University, University of Texas at Austin, and the University of Missouri.