

FSU Office of Career Services

# Job Searching for International Students

Plan your work; work your plan

## Information to help plan your job search...

- Facts about Job Search for International Students
- Sample Email to Employer and Additional Resources
- Assisting your potential employer with the hiring process
- H-1B exemptions and alternatives
- Organizations exempt from the H-1B quota
- Alternatives to the H-1B

**Find out more inside this packet.**

### ***The Truth Is Tough***

1. You must work much harder than domestic students to find a job.
2. English language skills matter.
3. You must bridge the cultural gap to sell yourself.

### ***Where Opportunity Isn't***

1. Direct, head-to-head competition with domestics when you have no edge
2. Announced openings (drawing hundreds or thousands of applications)
3. On-campus recruiters, who may not want to interview foreign nationals

### ***Where Opportunity Is***

1. Hidden job market
2. Others from your home country who are officers or owners of companies
3. Others from your home country who have jobs here
4. Former international students with jobs here (Internships or H1-B)
5. Smaller companies in rural areas that are exporting
6. College or university employment after graduation
7. Your home country consulate

### ***Plan Your Work/Work Your Plan***

*What is your marketing plan?*

*What is your backup plan?*

### ***Be sure to consider***

1. Working for academic institutions, teaching, teaching assistant
2. Graduate school
3. Working internationally for an employer based in your home country

## SAMPLE EMAIL TO AN EMPLOYER

Attn: Raymond Smith, VP of Operations

XYZ Corporation

Dear Mr. Smith:

I recently read in the Wall Street Journal of your company's intention to expand production in Guangdong province in China and noticed your name. Let me congratulate you on your company's continuing success. I am an international student from this area of China and am interested in obtaining an internship with your company this coming summer, either in your company headquarters in Indianapolis or in some role involving travel to China. There are several ways I could support your company's China business. I speak four dialects of Chinese, including Cantonese and Mandarin, which might be of great benefit to logistics or operations functions within your company. Also, I can help you with any company trips to China as an interpreter and a guide. There are many aspects of Chinese culture that are subtle, and it might be useful to your team to have someone who understands protocol as well as the local languages.

Who would be the person in your company most likely to be interested in someone like me? Please let me know whom I should try to contact, and I will follow your advice exactly. Upon graduation, my student visa qualifies me for employment related to my studies, and I would be happy to explain the process to your human resources staff if they have not hired an international student before.

Thank you for your kind consideration, and I look forward to your advice!

Respectfully submitted,

Cheng-Chung "Sidney" Lee

## ASSISTING YOUR POTENTIAL EMPLOYER WITH THE HIRING PROCESS

If you have questions about the following information, contact the Fayetteville State University Office of Career Services.

<http://www.uncfsu.edu/CareerServ/contact.htm>

U. S. law provides several ways for employers to hire foreign college graduates. For example, USCIS (formerly INS) issues tens of thousands of H-1B work visas each year. In addition, graduates of U.S. institutions on F-1 and J-1 visas are eligible for “optional practical training” and are hired regularly by U.S. employers.

The two most common mechanisms for hiring foreign graduates are:

I. **PRACTICAL TRAINING:** For graduates in F-1 student visa status, Optional Practical Training allows up to twelve months of employment after graduation (for those students holding Science, Technology, Engineering, Mathematics - STEM degrees, 17 additional months may be available). The student must obtain permission from the university international student advisor, and cannot begin work until the work authorization card from USCIS arrives. Some students (on J visas) may be eligible for up to 18 months of academic training without obtaining a work authorization card from USCIS. If you are on a J student visa, consult your international student advisor.

**Timing:** F-1 Graduates can begin working immediately upon receipt of the work authorization card. J-1 students may be employed with special authorization from their international student advisor, including annotation on the form DS-2019.

**Cost:** No cost to employer. F-1 students pay a \$340 filing fee to USCIS for the card.

**Employer Obligations:** Treat employees on practical training/academic training just like other U.S. employees in terms of pay, discipline, termination, etc.

## ASSISTING YOUR POTENTIAL EMPLOYER WITH THE HIRING PROCESS CONTINUED...

II. **H-1B VISAS:** This is an extremely popular work visa. It is available to foreign nationals who (a) have at least a U.S. Bachelor's Degree or foreign equivalent and (b) will be working in a job that requires at least a Bachelor's Degree. The employer must submit a visa petition to USCIS. **Approvals can take as little as fifteen (15) days** if filed with premium processing.

**Employer Obligations:** The employer must:

- Post a notice for ten days at the worksite stating that you are hiring an H-1B worker, providing information about the job. Maintain public access file.
- Pay the same wage and benefits provided to U.S. workers in similar jobs. Pay return transportation in some circumstances.
- There is no need to advertise the position, and no need to determine if U.S. workers are available to fill the position.

**Timing:** Normal processing times can vary depending on the work location. However, USCIS has special "premium processing" which guarantees processing in 15 days. Premium Processing requires an extra \$1,000 filing fee.

**Cost:** USCIS' normal filing fee for private employers is \$320, plus a \$1,500 "training fee", plus a "fraud prevention" fee of \$500. (NOTE: University employers, primary/secondary schools and certain governmental and non-profit research organizations do not pay the "training fee". Employers with 25 or fewer employees pay only at \$750 "training fee"). Premium processing (15 day processing) carries an additional \$1,000 filing fee to USCIS.

**H-B Cap:** USCIS issues 65,000 new H-1B approvals each year (USCIS year – October 1 through September 30). USCIS accepts cases beginning April 1 for Oct. 1 issued H1Bs. Exceptions to the cap: University jobs; non-profits affiliated with universities; non-profit research organizations; H-1B extension with same employer; H-1B transfer to new employer. Graduates with U.S. advanced degrees have special allocation of 20,000 H-1Bs above the 65,000. Citizens of Chile and Singapore have a special allocation of H-1B's.

Other visa options may be available (for example TN for Canadians or Mexicans working in certain jobs; E-3 visa for Australians in professional positions, and other possible options)

Source: McCandlish Holton Immigration Practice Group  
1111 East Main Street, Suite 1500  
Richmond, VA 23219

## H-1B EXEMPTIONS AND ALTERNATIVES

Each year, USCIS exhausts the full quota of 65,000 “bachelor’s degree” H-1B’s and the additional 20,000 quota for U.S. advanced degree holders. As a result, many foreign students and employers seek alternatives to the H-1B. In addition, some employers qualify for an exemption from the H-1B quota. The following is a summary of exempt employers, and alternatives to the H-1B, which may allow a foreign graduate to remain and work in the United States after graduation.

### ORGANIZATIONS EXEMPT FROM THE H-1B QUOTA

Certain organizations are exempt from the H-1B quota. Exempt organizations can file H-1B applications at any time, regardless of the quota. Exempt organizations include:

- Universities
- Non-profit organizations affiliated with universities (such as research facilities or hospitals)
- Non-profit research organizations, engaged primarily in basic or applied research
- Governmental research organizations

Note that there is no blanket exemption for “non-profits”. To be exempt from the quota, the non-profit either must be affiliated with a university, or must be a non-profit “research organization.”

### ALTERNATIVES TO THE H-1B

1. **Optional Practical Training.** F-1 students can work in the U.S. for up to 12 months using Optional Practical Training (OPT). They can stay in the U.S. for 60 days after expiration of their OPT, but cannot work during that time. F-1 graduates in “STEM” degree programs (Science, Technology, Engineering, Mathematics) can obtain an additional 17 months of OPT (for a total of 29 months) if they are employed by an employer which registers for the federal “E-verify” program. E-verify is an electronic program to verify the employment authorization of employees in the U.S. The employer must also agree to notify the student’s foreign student advisor within 48 hours of termination of employment.
2. **OPT Cap-Gap Extension.** This extension is available to any F-1 student working on OPT. If the student’s OPT work authorization expires while waiting for an approved or pending H1-B visa to begin, the student’s OPT work authorization may be extended. This benefit only applies to students whose OPT expires between April 1 and September 30. If that student’s employer has filed an H1-B petition on April 1, AND the student has a receipt showing the H1-B is either pending or approved, the student should contact their international student advisor to extend their OPT until the October 1 start of the H1-B status. Note: this benefit is only available to April 1 H1-B applicants—it does not apply to H1-B’s filed by cap-exempt employers.

3. **TN status (Canadians and Mexicans)**. Under the NAFTA treaty, citizens of Canada and Mexico can work in the U.S. in TN status in certain designated jobs or professions listed in the treaty. Common TN occupations include engineer, architect, computer systems analyst, hotel manager, registered nurse, social worker, librarian, dentist, statistician, and physical therapist. Individuals who qualify for TN status can work in the U.S. in one year increments, renewable indefinitely.
4. **H-1B1 (Chileans and Singaporeans)**. There is a special quota of 6,800 “H-1B1” visas available to citizens of Chile and Singapore. Like the H-1B, H-1B1 status requires that the applicant possess a bachelor’s degree or the equivalent, and the job must require at least a bachelor’s degree as a minimum entry level requirement. H-1B1 status is granted in one year increments. Unlike H-1B, individuals in H-1B1 status must have an unabandoned foreign residence to which they intend to return.
5. **E-3 for Australians**. Under a treaty of trade with Australia, the United States allows the citizens of Australia to qualify for E-3 status. Like H-1B, the applicant must possess a bachelor’s degree or the equivalent, and must work in a job that requires a bachelor’s degree. E-3 status is issued in two year increments, renewable indefinitely. There is a quota of 10,500 E-3 visas available. It is unlikely this quota will ever be exhausted.
6. **E-1 and E-2 status**. Certain countries have treaties of trade or commerce with the United States. Citizens of countries that have a treaty of trade or commerce with the United States can qualify for E-1 or E-2 status. E-1 allows an individual of a treaty country to start his/her own business in the U.S. to engage in trade with their home country (at least 50% of the trade must be with the individual’s country of citizenship). The individual can also work for a company which is majority owned by citizens of the individual’s country of citizenship, also engaged in substantial trade between the U.S. and the country of citizenship. E-2 status allows an individual from a treaty country to start his/her own business in the United States, provided that the business requires substantial “investment” in the United States. The individual can also work with a company in the U.S. owned at least 50% by nationals of the individual’s country of citizenship, provided that the business represents a substantial investment in the United States. These are very complicated visas but can be excellent options in appropriate circumstances. For example, a citizen of France could open up his/her own financial consulting business, or work for a French-owned financial consulting organization in the U.S. Notable countries which do not have treaties of trade or commerce with the U.S. include China and India. A listing of eligible countries is attached.
7. **L-1 Visa**. L-1 visas are for individuals who have worked for a company outside of the U.S. for at least one year, who will now work in the U.S. for a parent, branch, subsidiary or affiliate of the same company. L-1 visas are available to allow individuals to work in managerial or executive positions, or positions which require “specialized knowledge” of the company’s operations, technology, etc.
8. **O Visas**. O visas are available for individuals with extraordinary ability in their particular field of expertise. This can be shown by significant contributions to a particular field of expertise, peer-reviewed publications, presentations at important conferences, national or international prizes or awards, serving as a judge of the work of others, and other objective evidence of the individual’s reputation as a leader in a particular field of expertise.
9. **Green Card/Permanent Residence**. For individuals who possess a master’s degree (whether U.S. or foreign), who work in a job that requires at least a master’s degree, pursuing a permanent resident green card may provide a basis for continued work in the U.S. Although the full green card process will take much longer than the one year duration of OPT, individuals with an advanced degree may be far enough along in the process to file for “adjustment of status” and obtain a work authorization card in connection with their green card application, prior to expiration of the 12 month OPT. There may also be family-based options for permanent residence.
10. **Work Outside the U.S.** A foreign graduate can work for an employer outside the U.S. without a U.S. work visa.
11. **Return to School**. Many foreign graduates re-enroll in school in F-1 status if they miss the H-1B quota.