**Employing International Students**

Employers have long understood the benefits of employing international students, whether it be for summer or semester-long internships or post-graduate work. However, many employers have questions about the steps involved in bringing international students into their workforce.

Aside from making connections with various educational institutions to prime the pump of available candidates, both employers and these perspective employees must also meet requirements from U.S. Citizenship and Immigration Services (USCIS).

**General Guidelines**

International students wishing to study full time in the US must meet several requirements prior to being issued a nonimmigrant visa. Individuals must be enrolled as full-time students in appropriate educational programs at institutions approved by the Student and Exchange Visitors Program, Immigration and Customs Enforcement. In addition to these educational requirements, students must be English proficient (or enrolled in courses leading to said proficiency), capable of self-support during their course of study, and maintain a “home” residence abroad. The most common types of student visa categories are called “F-1” or “M-1” visas.

**F-1 Visas**

F-1 visas are for academic students and allow individuals to enroll as full-time students at accredited and authorized academic institutions or language training programs. These programs must also conclude with a final certificate, diploma, or degree.

During their first academic year, F-1 students are not allowed to work off campus and are instead limited to certain on-campus employment.

Upon completion of their first academic year, F-1 students are eligible for two types of off-campus employment:

* Curricular Practical Training (includes internships or practicums that are part of an established curriculum), or
* Optional Practical Training (OPT) (pre- or post-completion of coursework; includes most summer or semester-long internships or post-graduate work).

Each type of employment authorization category is subject to USCIS time limits, with additional employment authorization time available for graduates with degrees in Science, Technology, Engineering, and Mathematics (OPT STEM Extension). For more information related to OPT, please see USCIS’s [OPT for F-1 Students](https://www.uscis.gov/working-united-states/students-and-exchange-visitors/students-and-employment/optional-practical-training).

**M-1 Visas**

M-1 visas are for vocational students and includes all students in nonacademic programs, aside from language training. M-1 students are only eligible for practical training after the completion of their studies.

**Employment for Both F-1 and M-1 Students**

Any off-campus employment accepted by F-1 and/or M-1 students must be related to their area of study and must be authorized by the Designated School Official (DSO), who is the administrator charged with maintaining the school’s Student and Exchange Visitor Information System (SEVIS), and the USCIS prior to starting any work.

Before an F-1 and/or M-1 foreign student may begin work, they must also have a Form I-20 Certificate of Eligibility signed by their DSO and an Employment Authorization Document (EAD or “work permit”) be issued by USCIS. Once appropriate paperwork is in hand, the student is eligible to work on employer premises.

Another common question employers have about international students relates to taxing their earnings, as the students are nonimmigrants in the US. Neither F-1 nor M-1 students are subject to wage withholding for Social Security or Medicare (more commonly known as Federal Insurance Contributions Act or FICA) taxes or self-employment taxes. This exemption applies to the types of employment discussed within this article but does not apply to employment not authorized by the USCIS or to employment not related to the purpose for which the visa was issued.

International students are valuable additions to many workforces. Although some employers have been hesitant to engage international students in the past, it is well worthwhile, both in the real-world experience they gain alongside the minimal compliance requirements on the employer’s end.

Mindful employers should be sure to take note of when their international student employee’s employment authorization expires and plan for taking further action—either through sponsoring an immigration application or terminating employment—when the time comes.

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