

## **Employment Options for F-Visa Students**

The F-1 visa is issued to those enrolled in a full-time course of study at a college, university, or language training program. Like other non-immigrant visas, the F-1 category has limitations on employment. Failure to comply with these limitations will cause the student to fall out of status. This article will discuss the different instances a student is allowed to work.

1. On-campus employment: Upon getting F-1 status, a student is eligible to work on campus for a maximum of 20 hours per week while enrolled in a full course of study. On-campus employment may be full-time during vacation periods, between academic semesters, and during transition to the next academic level in the same institution.
2. Off-campus employment: During the course of his or her study, a student may seek authorization for off-campus employment in three instances: (a) severe and unforeseen economic necessity; (b) internship with international organization; (c) employment based on the Special Student Relief Program. This employment must be approved by USCIS and the student cannot begin work until USCIS issues an Employment Authorization card (EAD).
3. Severe economic hardship: To qualify under this category of off-campus employment, a student must have been in F-1 status for at least one full academic year and show that employment is necessary due to severe economic hardship arising after the F-1 status was approved and caused by circumstance beyond the student's control. Examples of economic hardship include loss of financial aid, substantial fluctuation in the valuation of currency, unexpected changes in the financial condition of student's source of support, medical bills, and other substantial and unexpected expenses.
4. Employment with an international organization. An F-1 student may work for a recognized international organization as soon as he or she gets F-1 status. However, a written offer of employment from the international organization is required. Employment can be granted in one-year intervals when a student applies directly with USCIS for an EAD and employment may not start until the EAD has been issued and received.
5. Optional Practical Training (OPT). OPT is limited to students enrolled in a SEVIS approved college, university, or seminary who have been enrolled for at least one full academic year and who wishes to gain practical experience in his or her field of study. The OPT may be granted for a period of 12 months. No offer of employment is needed. When a student applies for OPT, the school must update the student's record in SEVIS and recommend that the USCIS approve the student for employment.

This article does not constitute legal advice but we hope this has been helpful. If you have any questions about your particular situation, contact us and let us assist you in preparing your case.

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**The Law Offices of Darren B. Silver & Associates concentrates exclusively to the practice of immigration and naturalization law. Mr. Silver has an extensive knowledge of all aspects of immigration law and procedures. His career in**

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