

## **Texas A&M international students as employees**

There are over 3,700 international students enrolled at Texas A&M University. These students are pursuing bachelors, masters, and doctoral degrees. The majority of them are graduate students who already have degrees and/or significant work experience before coming to the United States to study. These students come from over 119 different countries, including China, Korea, India, Mexico, Taiwan, Indonesia, Japan, Thailand, Turkey, Venezuela, Saudi Arabia, Norway, Russia, and many other countries.

There is a growing need for U.S. trained, foreign-born employees among American businesses with international partners or subsidiaries. Such employees make costly cultural and language training programs unnecessary and do away with the expense of special work authorizations and/or travel permits when assigned to work in their home countries. Most international students speak at least two languages, and many of them speak three or more languages. Participation in leadership development programs, multicultural teamwork experiences, and practice in the resolution of real world problems at U.S. Universities make international student employees an asset whether employed in the United States or abroad.

Most international students enter the United States with student visas, which allow them to enroll in U.S. universities. Their academic programs are often complemented by academic or practical training in their field of study. International Student Services (ISS) at Texas A&M University can assist you with questions you may have about US immigration regulations that authorize employment for these students. In fact, this brochure is designed to clarify these regulations for both prospective employers and prospective international student employees. Hiring

an international student to work is much easier than one may think.

## **Immigration status and international student employees**

Most international students enter the United States using one of two student visas. The majority of Texas A&M students are F-1 visa holders. A smaller number have J-1 visas. Generally, F-1 students have private sources of funding, while J-1 students often have corporate, governmental, or international agency funding. Although the main purpose of any student visa is to study in the United States, both visa classifications allow for the employment of these students.

An F-1 student has a maximum of 12 months of practical training, and it may be used during and/or after the degree is earned. The application for this employment permission is reviewed and recommended by ISS at Texas A&M, with final authorization from the U.S. Citizenship and Immigration Services (USCIS). There is no paperwork for you, the employer, to complete. An F-1 student does not even need a job offer to apply for this work permission.

A J-1 student has a maximum of 18 months of academic training (or 36 months if they are post-doctoral fellows) to use during and/or after they earn their degree, depending on the length of the degree program. The sponsors (both financial and program sponsors) of the student's J-1 program must give permission for the employment, and it must be coordinated with the Sponsored Student Programs (SSP) Office and ISS at Texas A&M University. SSP serves as the liaison with the financial sponsors and their students while ISS or the program sponsoring agency reviews and authorizes the academic training. A written job offer is required, but there is no additional waiting time for processing by USCIS, since it will be

authorized by ISS or the program sponsoring agency.

F-1 and J-1 student can also participate in internships or cooperative education during their academic program. ISS authorizes this type of employment. Again, there is no waiting time for processing by USCIS for this type of employment.

Neither practical training nor academic training requires you, the prospective employer, to complete any forms with USCIS or any other government agency, except the "Employment Eligibility Verification" form (Form I-9).

## **Taxes and international student employees**

International students do have taxes withheld from income earned in the United States with some notable exceptions. F-1 or J-1 student visa holders who have been in the United States less than five calendar years are classified as "non-residents for tax purposes" by the IRS. Most international students have this classification. A student who is classified as a "non-resident for tax purposes" is exempt from FICA/FUTA (social security/ unemployment) withholding taxes. Further details about this regulation are available in IRS Publication 519, the U.S. Tax Guide for Aliens.

Approximately 45 countries have tax treaties with the United States. Students who are residents of one of these countries may qualify to have part of their income exempted from taxation. Students who claim this exemption must be able to prove eligibility under the tax treaty between their country and the United States. Summaries of these treaties can be found in IRS Publication 901, which is available at the IRS web site: <http://www.irs.ustreas.gov/prod/cover.html>.

Some countries have Social Security agreements with the U.S. Government. More information about such agreements may be obtained through the Social Security Administration web site at: <http://www.ssa.gov> (select “international”)

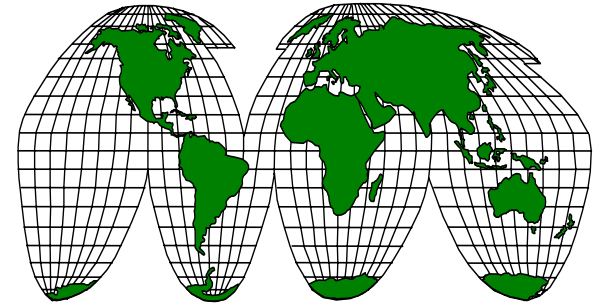
### **Continued employment after training period expires**

If desired, an employer may extend employment beyond the maximum training period allowed to F-1 student visa holders by USCIS. It is possible to do this by changing a student’s visa status to H1B, a temporary work visa which allows from one to six years of professional employment. Obtaining an H-1B is not a complicated process, but it does require planning to prevent interruptions in employment as the employee moves from one visa type to another.

We suggest starting the H-1B process at least three months before the student’s training period expires. To obtain H-1B status, an international employee is required to have a “sponsor.” The employer often acts as the “sponsor” for the H-1B applicant and is required to file the appropriate forms and documents with both the Department of Labor and USCIS. ISS is not authorized to assist students in obtaining H-1B status.

**For information regarding the recruitment of international students at Texas A&M University, please contact the Texas A&M University Career Center at their web site: <http://careercenter.tamu.edu>.**

**If you have additional questions regarding INS regulations, you may phone International Student Services at (979) 845-1824, fax us at (979) 862-4633, or e-mail us at: [iss@tamu.edu](mailto:iss@tamu.edu).**



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# How To Hire A Texas A&M University International Student