

International Student Resource Center

Hiring International Students: An Employer's Guide to F-1 and J-1 Work Authorization

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At a glance

U.S. employers can hire international students on an F-1 or J-1 visas without sponsoring them, filing a petition, or paying a government fee. The student's school or exchange program authorizes the work, and in the case of F-1 students, the student applies for a temporary work card from U.S. Citizenship & Immigration Services (USCIS). J-1 students do not have to make the separate application to USCIS. The employer's role is to offer a position related to the student's field of study and complete a normal Form I-9 to confirm work authorization. Find more information on the I-9 process on the **USCIS website**.

- **F-1 Optional Practical Training (OPT):** up to 12 months of work per degree level, no employer sponsorship.
- **F-1 STEM OPT extension:** 24 additional months for STEM graduates, for up to **3 years total**. Still no sponsorship petition or filing fee. The employer must be enrolled in **E-Verify** and sign a training plan.
- **J-1 Academic Training:** up to **18 months** for most students, or up to **36 months** for postdoctoral training, again with no sponsorship petition required from the employer.
- **Payroll tax implications:** most F-1 and J-1 students are exempt from Social Security and Medicare (FICA) taxes for the first five years of their presence in the U.S., so the employer does not pay the 7.65% employer match until they are present for more than five years.

One development to watch: on October 8, 2026, DHS *proposed* a rule that would charge schools $70,000 for a first OPT recommendation and $30,000 for a STEM extension, which schools could pass on to students or employers. It is a proposal only; nothing has changed yet. This proposed rule will likely face significant legal challenges, and may never go into effect. See **Costs and savings**.

F-1 and J-1 basics

F-1 and J-1 are both temporary student visas, but they are run by different agencies and authorized by different people at the school.

	F-1 student	J-1 exchange visitor (student category)
Purpose	Full-time academic study at a U.S. college or university	Educational and cultural exchange through a sponsored program
Overseen by	Dept. of Homeland Security (ICE's Student and Exchange Visitor Program; USCIS issues work cards)	Dept. of State (Exchange Visitor Program)
Key document	Form I-20	Form DS-2019
Who authorizes work	Designated School Official (DSO) at the school; USCIS for OPT	Responsible Officer (RO) or Alternate RO at the program sponsor
Work options	On-campus jobs, CPT, OPT, STEM OPT	On-campus jobs, Academic Training
Proof of work authorization	Endorsed I-20 (CPT), or endorsed I-20 form AND Employment Authorization Document card (OPT, STEM OPT)	DS-2019 plus the RO's written Academic Training approval

Both programs track students in the Student and Exchange Visitor Information System (SEVIS), the government's student database. Some J-1 students are also subject to a two-year home-country residency requirement (INA 212(e)), depending on their country of birth, or source of funding. That rule does not limit Academic Training employment, but it can affect later H-1B or green card plans.

Why employers should consider hiring an international student: international students have shown the commitment and perseverance to study and live in the U.S. They have worked to achieve U.S. degrees, often in high-demand technical fields, and can start work without an employer having to file a visa petition, lottery, or pay a filing fee.

F-1 Curricular Practical Training (CPT)

CPT lets an F-1 student work for a U.S. employer *while still enrolled*, typically as an internship, co-op or practicum that is part of their degree. The school's Designated School Official (DSO) approves it; there is no USCIS application and no fee.

- **What qualifies:** work that is an integral part of the curriculum, either required for the degree or earned for academic credit. The government is currently revising its policies about what constitutes "integral" for CPT purposes. This policy revision is currently being challenged in court (October 2026)
- **When:** usually after the student completes one full academic year of study. Some graduate programs that require training from the start allow it immediately.
- **Hours:** part-time (20 hours a week or less) during the term, or full-time during breaks or when the program allows.
- **Specific to you:** each authorization names one employer, a location and exact start and end dates. A new employer or new dates needs a new authorization *before* the work changes.
- **What you provide:** an offer letter describing the role, hours, dates, location and supervisor, which the student gives to their DSO. The government is also revising this to require a signed agreement

between the employer and the school, though this is also under challenge in the courts (October 2026)

- **Proof for Form I-9:** the student's I-20 with the DSO's CPT endorsement, plus their passport and I-94 record.

Effect on OPT: part-time CPT has no effect. Twelve months or more of *full-time* CPT makes the student ineligible for OPT at that degree level, so employers should keep long co-ops or internships to part-time if they hope to hire the student after graduation.

F-1 Optional Practical Training (OPT)

OPT gives an F-1 student up to **12 months** of work authorization per degree level (bachelor's, master's, doctorate), with no employer sponsorship required. There is no petition, no labor certification, no lottery and no employer fee. The student applies to USCIS and pays their own filing fee. Students are limited to 9 months of unemployed time during the first year of OPT.

How it works

1. The student asks their DSO to recommend OPT, and the DSO issues an updated I-20.
2. The student files Form I-765 with USCIS, from 90 days before to 60 days after their program ends.
3. USCIS issues an Employment Authorization Document (EAD) card with start and end dates.
4. The student may start work once they receive the card, and on or after the EAD start date, never before.

Job requirements

- Directly related to the student's major field of study.
- At least 20 hours a week to count as employment for post-completion OPT.
- Volunteer work will count for OPT purposes
- Any employer, any location in the U.S.; the student can change jobs or hold more than one job without new paperwork from you.
- No E-Verify requirement and no training plan for standard OPT.

Your responsibilities

- Complete Form I-9 using the EAD card (a List A document) and note its expiration date for reverification.
- Do not let the student start before the EAD start date or work past its end date.

The student, not you, reports their employer to the school and stays within a 90-day limit on total unemployment. Students may also use OPT part-time before graduating (pre-completion OPT), but that time is deducted from the 12 months.

F-1 STEM OPT extension: up to 3 years total

A student whose degree is on DHS's **STEM Designated Degree Program List** can add **24 months** to their 12 months of OPT, for up to **3 years** of work with you. The employer still files no petition and pays no government fee. STEM OPT does, however, ask more of the employer than standard OPT.

Student eligibility

- Degree in a field on the STEM Designated Degree Program List (it includes engineering, computer science, math, physical and life sciences, and many economics, data, finance-analytics and business-analytics programs).
- The extension can also rest on an earlier STEM degree from an accredited U.S. school earned in the past 10 years.
- The student files for the extension up to 90 days before their current OPT card expires. If filed on time, they can keep working for up to 180 days while USCIS decides their case.

Employer requirements

- **E-Verify:** be enrolled in **E-Verify** and in good standing.
- **Training plan:** complete **Form I-983** with the student, setting out learning goals, supervision and how progress is measured; sign self-evaluations at 12 and 24 months.
- **Fair pay and terms:** attest that the pay, hours and duties match those of similarly situated U.S. workers, and that the student is not replacing a U.S. worker.
- **Real employment:** a paid job of at least 20 hours a week with a genuine employer-employee relationship. Staffing arrangements that place the student at a client site are generally not allowed.
- **Reporting:** tell the student's DSO within 5 business days if the student leaves or is terminated, and report material changes to the training plan.
- **Site visits:** DHS may visit the worksite, usually with 48 hours' notice.

The student is limited to 150 days of unemployment across the full 3-year period. A student can receive two STEM extensions in a career, one per degree level (for example, after a bachelor's and again after a master's).

J-1 Academic Training: up to 18 months, or 3 years for postdocs

Academic Training is the J-1 student's counterpart to OPT. It is approved by the program sponsor's Responsible Officer (RO), with no USCIS application, no work card, no petition and no fee to the employer. It can happen during studies or after graduation, paid or unpaid.

Duration

- **Bachelor's, master's and pre-doctoral students:** up to **18 months** in total, or the length of the student's program, whichever is shorter. A student in a 12-month master's program, for example, is limited to 12 months.
- **Postdoctoral training:** up to **36 months** in total, including any earlier Academic Training.

Employer process

1. The employer issues an offer letter. The student's academic dean or advisor writes a recommendation describing the role, supervisor, location, hours and dates, and how it relates to the student's field.
2. The RO approves the position in writing before it starts and updates the student's DS-2019.
3. Post-graduation training must begin within 30 days of the student finishing their studies.

Position requirements

- Directly related to the student's major field.
- Approved for a specific employer and dates; a new employer or extension needs a new RO approval first.

Employer responsibilities

- Complete Form I-9 using the student's passport, I-94 record, updated DS-2019 and the RO's Academic Training letter.
- Cooperate with the sponsor's evaluation as to whether the training is meeting its goals.

Side-by-side comparison

None of the four options requires an employer petition or government filing fee.

	CPT (F-1)	OPT (F-1)	STEM OPT (F-1)	Academic Training (J-1)
Maximum length	Set by program; 12+ months full-time ends OPT eligibility	12 months per degree level	24 more months (36 total with OPT)	18 months or program length, whichever is shorter; 36 months for postdocs
When	During studies	During or after studies	After OPT	During or after studies
Approved by	School DSO	DSO, then USCIS	DSO, then USCIS	Sponsor's RO
Tied to one employer	Yes	No	Yes, per training plan	Yes
Employer paperwork	Offer letter / signed agreement	Form I-9 only	E-Verify, Form I-983, reporting	Offer letter, Form I-9
I-9 document	I-20 with CPT endorsement + passport, I-94	EAD card	EAD card	Passport, I-94, DS-2019, RO letter
Sponsorship cost to employer	None	None	None	None

Costs and savings for employers

Under current rules, hiring a student on OPT, STEM OPT or Academic Training costs you nothing beyond normal hiring. The student pays their own USCIS filing fee for OPT and STEM OPT; J-1 Academic Training has no government application or fee at all.

Comparison with H-1B sponsorship process

- No registration, lottery, or petition fees, and no immigration attorney fees.
- No Labor Condition Application or prevailing-wage filing (STEM OPT does, however, require pay comparable to U.S. peers).
- No waiting for an April lottery or an October 1 start date; the student can start when their authorization begins.

Payroll tax savings

F-1 and J-1 students who are nonresident aliens for tax purposes, generally those in the U.S. for fewer than 5 calendar years, are exempt from Social Security and Medicare (FICA) taxes on authorized work, including practical training (IRS). Because the wages are exempt, you do not pay the employer's 7.65% share either: about $5,355 a year on a $70,000 salary. Students are usually also exempt from federal unemployment tax (FUTA). Federal and state income tax withholding still applies. Confirm each student's tax residency with your payroll provider.

Proposed OPT fee (not in effect as of October 2026)

On October 8, 2026, DHS published a proposed rule that would charge schools a fee before allowing a DSO to recommend OPT for an F-1 student.

- $70,000 for a student's first OPT recommendation and $30,000 for each later one, including a STEM extension ($100,000 for full OPT plus STEM OPT).
- Schools must pay, but DHS says they may pass the cost on to students or employers.
- CPT and J-1 Academic Training are not covered by this proposed rule.
- Public comments are due November 9, 2026. If finalized, it would take effect 60 days after the final rule is published.

No OPT fee is in effect as of October 9, 2026, and current OPT and STEM OPT authorizations are unaffected.

Keeping a great hire: H-1B sponsorship and cap-gap

If you want the student to stay past their training period, the usual route is an H-1B petition, and OPT gives you time to try. A STEM graduate's 3 years of OPT typically allow up to three chances in the annual H-1B lottery.

- **Cap-gap protection (F-1 only):** if you file a timely H-1B cap petition requesting a change of status while the student's period of OPT is still valid, the student's OPT and work authorization are extended automatically while it is pending, until April 1 of the following year.
- **The $100,000 H-1B fee by Presidential Proclamation:** This fee has been halted by litigation. USCIS guidance from October 2025 exempts F-1 students who change status to H-1B inside the U.S.
- **J-1 students:** cap-gap does not apply. Students subject to the two-year home residency requirement must fulfil it or obtain a waiver before they can change to H-1B status. Check the skills list based on country of birth to determine if a student might be subject. Also check whether they received direct government funding, which can also make a student subject to the home residency requirement.

Employer checklist and common questions

Before the start date

☐ Confirm the role relates directly to the student's field of study.

☐ Ask which option the student will use (CPT, OPT, STEM OPT or Academic Training) and its start and end dates.

- ☐ Provide an offer letter with duties, hours, location, supervisor and dates.
- ☐ For STEM OPT: confirm E-Verify enrollment and complete Form I-983 with the student.
- ☐ Complete Form I-9 on or before day one, letting the student choose which acceptable documents to present.
- ☐ Set a reminder to reverify work authorization before the expiration date.
- ☐ Ask payroll to apply the FICA exemption if the student is a nonresident alien for tax purposes.

Common questions

- **Do we have to sponsor a student on OPT?** No. Sponsorship only comes up if you later want to keep them on an H-1B or green card.
- **Is it risky or complicated?** Standard OPT needs only a Form I-9. STEM OPT adds E-Verify, a training plan and a few reports.
- **Can the student work for us remotely?** Yes, as long as the work is in the U.S., related to their field, and (for STEM OPT) supervised under the training plan.
- **Can we hire them part-time or unpaid?** Part-time works for CPT and pre-completion OPT. Post-completion OPT needs 20+ hours a week, but can be a bona fide volunteer position; STEM OPT must be 20+ hours per week and be paid.
- **What if their card hasn't arrived yet?** They cannot start until they hold valid authorization. STEM OPT extensions filed on time are the exception: work authorization continues for up to 180 days while the STEM OPT application is pending.

Resources and sources

This guide is general information, current as of October 9, 2026, and is not legal advice. Rules on student work are under active review and in some cases court challenge, so check with the student's international office or an immigration attorney for specific situations.

Official resources

- **Study in the States: Employers** (DHS guidance on F-1 practical training and the STEM OPT Hub)
- **USCIS: STEM OPT extension**
- **22 CFR 62.23: J-1 student Academic Training rules**
- **IRS: Foreign student liability for Social Security and Medicare taxes**
- **J-1 Visa Exchange Visitor Program (Dept. of State)**
- **E-Verify** (enrollment for employers hiring on STEM OPT)