Optional Practical Training

Employment Authorization for F-1 Students
Overview of Workshop

Part 1  Introduction to OPT
Part 2  Eligibility
Part 3  UGA Application Process
Part 4  USCIS Application Options
Part 5  Life on OPT
Introduction to OPT

Use these slides to learn the basics of Optional Practical Training.
This workshop is required for all Post-Completion Optional Practical Training (OPT) applicants.

Unless specified otherwise, all information in this presentation refers to post-completion OPT.

After viewing this presentation, you must visit compass.uga.edu to request the OPT recommendation I-20 form. This is required for your OPT application to the government.

Immigration Services recommends that you complete this online workshop at the beginning of the last semester before you plan to graduate.
Optional Practical Training, or "OPT," is off-campus work authorization that allows a student to work off campus in their major field of study for a maximum of 12 months.

Students in STEM (Science, Technology, Engineering, Math) majors may also be eligible for an additional 24-month extension for OPT. Additional information can be found on our website.

Work authorization for OPT is achieved once you have received the Employment Authorization Document (EAD card), which is issued by the U.S. Citizenship and Immigration Services (USCIS).

If you complete a degree at a higher educational level, you may be eligible to apply for another 12 months of OPT.
OPT Eligibility

Use these slides to learn more about OPT Eligibility.
OPT can be granted for 3 different reasons. Each authorization requires a new OPT application submitted to the USCIS.

**OPT Categories**

**Pre-Completion**
Pre-completion OPT is authorized for work before the student’s program completion date. Both undergraduates and graduates are eligible for pre-completion.

Please see an advisor if you have more questions.

**Post-Completion**
Generally, Post-completion OPT is appropriate for students seeking work authorization after completion of the academic program.

**24-Month STEM Extension**
The 24-month extension of post-completion OPT allows students in STEM fields work authorization for a total of 36 months.
Students may not qualify for OPT if:

1. 12 months or more of full-time Curricular Practical Training (CPT) have been used at the current academic level.

2. The student has NOT been enrolled on a full-time basis for one full academic year (two full semesters/9 months).

3. The student has violated their immigration status.

4. Students must be in the final semester of the academic program.

5. Students must not have a previously approved OPT authorization at the same or higher academic level.

Example: If you are applying for OPT now on the basis of your Bachelor’s degree, and if you later obtain a Master’s degree, you will be eligible to apply for another 12 months of OPT on the basis of the Master’s degree.
## Completion of Academic Program

<table>
<thead>
<tr>
<th></th>
<th>OPT BASED ON GRADUATION</th>
<th>OPT BASED ON COMPLETION OF COURSEWORK (APPOINTMENT RECOMMENDED)</th>
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</thead>
<tbody>
<tr>
<td>Who’s Eligible</td>
<td>Any F-1 who’s maintained status</td>
<td>Only Master’s Thesis or Doctoral students</td>
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<tr>
<td>Requirements</td>
<td>Must apply for graduation and be able to graduate in the same semester</td>
<td>Completed all major coursework and have a set/thesis defense date (including research hours)</td>
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<tr>
<td>New I-20 Program End Date</td>
<td>Last Day of Finals for that semester</td>
<td>Last Day of Finals OR Date You are Admitted to Candidacy or Thesis-Only</td>
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<tr>
<td>OPT Start Date</td>
<td>Within 60-day grace period after program end date</td>
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<tr>
<td>OPT End Date</td>
<td>12 months following OPT Start Date. End Date must be within 14 months of program end date.</td>
<td></td>
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<tr>
<td>When to Apply to USCIS</td>
<td>Up to 90 Days before program end date and 60 days after.</td>
<td>Up to 90 days before program end date.</td>
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</table>
When OPT e-forms are submitted in compass.uga.edu, your academic advisor will confirm the anticipated graduation in the current academic term.

The OPT application cannot move forward until the confirmation from the academic advisor is complete.
MASTERS students will have their academic department confirm their admission to thesis-only hours through the Compass portal OPT Application e-form.

DOCTORATE students will need to fill out the Application for Admission to Candidacy for Doctoral Degrees form, turn in to the graduate school, and upload the graduate school’s letter of admission to candidacy when you are applying for OPT on compass.uga.edu.

Application for Admission to Candidacy for Doctoral Degrees
Use these slides to learn more about how to request an OPT I-20 from UGA Immigration Services.
Begin the OPT application process by following the steps below.

1. **View this Online Workshop**
   - View this workshop and submit OPT Quiz in Compass.uga.edu

2. **Complete OPT Request Form in Compass**
   - Complete OPT Request Form In Compass.uga.edu

3. **Receive OPT I-20**
   - Receive your NEW OPT I-20 from Immigration Services

4. **Prepare Materials & Submit Application to USCIS**
   - Review application assembly guide and submit OPT application by mail or online
Students may begin PAID or UNPAID employment AFTER receiving the Employment Authorization Document (EAD) and on the start date of the authorized employment period noted on the EAD.

Example

Denish's EAD start date: June 15, 2020
Denish received EAD on May 15, 2020
Employment can begin on or after start date on EAD, June 15, 2020.
End Date on I-20

Because your I-20 end date may be shortened, before you apply for OPT you should be 100% certain you will complete your studies!

If you fail to complete your last degree requirements after filing an OPT I-765 Employment application, you may fall out of lawful status.

You must inform your on-campus employer about your new I-20 end date!

You must stop working on-campus in a student position on the day of your new program end date!

GRADUATE STUDENTS
Graduate Assistants, please make sure to inform your Department. Graduate Students applying based on Coursework completion should talk to their hiring Department about how ending your student employment or assistantship mid-semester will impact your funding.
Important Reminders about the timeline for applying for OPT.

90 Days Before
Applications can be submitted to USCIS NO EARLIER than 90 days before the program end date. UGA uses the last date of finals as the program end date.

60 Days After
The DEADLINE to apply is 60 days after the program end date.

Please note: USCIS must send the OPT Receipt Notice dated prior to the 60th day of your grace period.

Processing Times
On average, USCIS requires 3-5 months to process and issue the Post Completion OPT Employment Authorization Document (EAD) from the receipt date.
Use these slides to review the necessary materials and options for applying for OPT with the USCIS.
The USCIS provides two ways to submit the OPT application.

By Mail:
Applicants who wish to submit the OPT application by mail may do so by preparing the required paper forms, printed materials, and necessary fees.

Online:
Applicants who wish to submit the OPT application online may do so by creating an online account on the USCIS website. All materials and payment will be uploaded to the online e-form.
Application Materials for OPT: MAIL SUBMISSION

- **G-1145** Electronic Notification Form, Paper App Only

- Completed and signed I-765 (USCIS I-765) Only print the form I-765 found on the USCIS website. The USCIS will NOT accept outdated forms.

- $410.00, payable to The U.S. Department of Homeland Security by check or money order OR use a completed G-1450 Form to pay by credit card (USCIS G-1450).

- I-20 with OPT recommendation on 2nd page, signed by Immigration Services advisor and student applicant on the 1st page. This is issued after an advisor reviews your OPT request.

- Two identical, passport-style, color photos of yourself taken within 30 days of filing application

- Photocopy of passport biographical information page (showing passport expiration date & photo)

- Photocopy of your F-1 visa

- Print-out of your I-94 record from [cbp.gov/194](http://cbp.gov/194) OR photocopy of I-94 card—front and back (dark enough to show the red stamp on the front of it)

- Photocopy of I-797 Approval Notice if you changed status in the U.S. (if applicable)

- Photocopies of all old I-20s for Full-Time CPT (if applicable)

- Photocopies of all previous EAD cards (if applicable)
Application Materials for OPT: ONLINE APPLICATION

- **USCIS Online account** creation and online I-765 submission
- $410.00 paid by Credit Card on Pay.gov
- Scanned copy of I-20 with OPT recommendation on 2nd page, signed by Immigration Services advisor and student applicant on the 1st page. This is issued after an advisor reviews your OPT request.
- Scanned copy of a passport-style, color photo of yourself taken within 30 days of filing application
- Scanned copy of passport biographical information page (showing passport expiration date & photo)
- Scanned copy of your F-1 visa
- Scanned copy of your I-94 record from [cbp.gov/194](http://cbp.gov/194) OR copy of I-94 card—front and back (dark enough to show the red stamp on the front of it)
- Scanned copy of I-797 Approval Notice if you changed status in the U.S. (if applicable)
- Scanned copies of all old I-20s for Full-Time CPT (if applicable)
- Scanned copies of all previous EAD cards (if applicable)
Use these slides to review the reporting requirements and responsibilities while on OPT.
Employment Requirements

- Employment must be within the student’s field for which OPT was authorized (listed on the I-20).

- At least 20 hours/week (for standard post-completion OPT).

- Employment may be paid or unpaid as long as the unpaid work does not violate labor laws. The Department of Labor’s Wage and Hour Division determines labor laws.

Which documents should I have to prove that I have been employed?

- Copies of job offer letters and agreements/contracts with all OPT employers including start and end dates.
- Copies of job descriptions including job title, duties, location, pay rate and proposed number of hours to be worked per week.
- If you worked for an agency or consultancy, keep evidence of the projects you worked on.
- Keep copies of your pay vouchers or pay stubs for all periods of employment.
- Maintain copies of your bank statements that show direct or corresponding deposits from your employer(s).
- Copies of your W-2 tax forms.
Regular paid employment in a position directly related to the student's program of study. Students may work for multiple employers, as long as it is directly related to the student's program of study.

Payment by multiple short-term employers: Students such as musicians and other performing artists, may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration.

Work for hire: This is commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students should be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.

Self-employed business owner: Students on OPT may start a business and be self-employed. The student should be able to prove that he or she has the proper business licenses and is actively engaged in a business related to his or her degree program.

Employment through an agency: Students on post-completion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.

Volunteers or unpaid interns (for standard pre or post-completion OPT): Students may work as volunteers or unpaid interns, where this practice does not violate any labor laws. The work should be at least 20 hours per week for students on post-completion OPT. A student should be able to provide evidence, acquired from the student's employer, to verify that he or she worked at least 20 hours per week during the period of employment.
If you engage in employment that is not paid while on OPT, we recommend you keep the following records:

- Copies of employment agreements or contracts with the employer including start and end dates, training mode (on location, online, etc) and location of the internship/unpaid training for each employer.

- Copies of all diplomas, completion certificates and/or certifications that you received related to the training programs identified.

- If you worked/trained as an unpaid employee for a third party keep evidence of the projects/contracts you worked on.

- Copies of company time and attendance records that document your daily tasks in detail for all employers during the unpaid internship or training.

- You will not be required to submit this proof of employment to Immigration Services, but it may be requested by USCIS if you are applying for future immigration benefits.
OPT Reporting Requirements

Keep the following in mind:

During OPT, you are required to:
• Keep your address updated in Compass
• Get your I-20 signed for travel, by your immigration advisor
• Report your employer’s information in Compass

Remember, there is no limit on:
• How much money you can make
• How many jobs you can have
• The maximum hours you can work

You must work a minimum of 20 hours per week on OPT.
Please review the COVID-19 Considerations section on the next slide for current guidance.
OPT Reporting Requirements

Keep the following in mind:

• OPT approval allows for a maximum of 90 days of unemployment.
• Failure to report your employment in compass.uga.edu will result in a violation of your F-1 Status, if the period exceeds 90 days.
• Please wait to report your employment until you receive your EAD card. Visit Compass to report employment or address changes.

COVID-19 Considerations
Students may work remotely if their employer has an office outside the U.S. or the employer can assess student engagement using electronic means.

For the duration of the COVID-19 emergency, SEVP considers students who are working in their OPT opportunities fewer than 20 hours a week as engaged in OPT.
Unemployment

LIMITED TO 90 CALENDAR DAYS DURING THE INITIAL 12 MONTH OPT PERIOD

Remember to report any employment in compass.uga.edu to avoid accruing unemployment days. Weekends and Holidays are counted.

Unemployment is counted from the OPT start date EVEN if you have not yet received your EAD.

You are considered unemployed if you do not have eligible OPT employment OR if you have not reported your employment in Compass.

No 60-day grace period is allowed if 90 days of unemployment is reached; you must leave the U.S. immediately.

ALWAYS REQUEST AN EMPLOYMENT VERIFICATION LETTER FROM YOUR EMPLOYER IF THE POSITION IS UNPAID.
After you have completed your studies, you will need the following documents for travel on OPT:

- Original I-20 signed for travel by an Immigration Advisor within the last six months and
- An Employment Authorization Document (EAD) and
- A valid F-1 visa (unless you are eligible for automatic revalidation of an expired visa) and
- A valid passport (valid for six months at the time of re-entry to the U.S.) and
- Employment verification (an offer/employment verification letter from your prospective/current employer with dates of employment, position title, dates of authorized leave for vacation or business).

We do not recommend travelling outside the U.S. if your OPT application is pending. USCIS may cancel your application if you leave the country.

Students who do not meet these requirements may not be allowed to re-enter the U.S.
While on OPT, your immigration status is still F-1. Your visa sponsorship & SEVIS record is still under UGA's authority.

It is possible to renew your F-1 visa based on OPT participation.

Immigration Services does not recommend visa renewals on OPT towards the end of your OPT period, because the non-immigrant intent could be difficult to prove at that point.
When OPT Ends: 60 Days

60 DAY GRACE PERIOD

When your OPT ends, you have a 60 day grace period to remain inside the United States.

OPTION 1

Depart the United States.

OPTION 2

Enroll in another degree program of study as an F-1 student & receive an I-20 from that university. This step involves possibly transferring your SEVIS record.

OPTION 3

Change your Visa Status.

We strongly recommend consulting a reputable immigration attorney for guidance.
The H-1B visa is the most common employment option & is sponsored by employers.

There are two types of H-1B Visas:
(1) Cap-Subject and
(2) Cap-exempt.

For more detailed information on H-1B Visas, please see the USCIS Website- USCIS.gov.

Immigration Attorney Recommended

Additional options for visa sponsorship may be possible. Please consult with a reputable immigration attorney for options.
An F-1 student filing for H1-B status on April 1 with a benefit start date of October 1 may qualify for an extension of status and/or employment authorization.

Students should always maintain regular contact with their potential employer to receive updates on the status of the H-1B petition, if they have filed one for the student.

Please review full details of Cap Gap Extension information by visiting the website.

Immigration Services will assist qualified students at the appropriate time.
Now that you have reviewed and understood the following, you may continue the OPT application process:

- What is OPT?
- Who is Eligible for OPT?
- UGA I-20 Request Process
- USCIS Application Process
- Reporting Requirements
- Options Beyond OPT
REVIEW: OPT Application Process

1. **Prepare Materials & Submit Application to USCIS**
   - Review application assembly guide and submit OPT application by mail or online.

2. **Receive OPT I-20**
   - Receive your NEW OPT I-20 from Immigration Services.

3. **Complete OPT Request Form in Compass**
   - Complete OPT Request Form In Compass.uga.edu

4. **View this Online Workshop**
   - View this workshop and submit OPT Quiz in Compass.uga.edu

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CONGRATULATIONS!
You have completed the OPT Workshop!

REMINDER
You may apply for OPT with USCIS for up to 90 days prior to and up to 60 days following your program end date. If you do not file your application within these timeframes, your application will be rejected or denied.

REMINDER
There are 2 ways to file the OPT application—By Mail or Online. You must choose only one method to apply for OPT.

REMINDER
Visit compass.uga.edu to request the OPT recommendation I-20s needed for the application. Detailed Filing Instructions will be provided after this step.