

EMPLOYMENT OF CERTAIN NON-RESIDENTS

Status	Duration	Eligibility Requirements	Procedure	Limitations
F-1 Student Campus	No limit	Fulltime enrollment (12 UG: 9 G: 6 G with RA/TA/GA In status	Authorization by virtue of status I-9 clearance processed by ISSO for UNC Charlotte departments; 'blue card' verifies clearance	20 hours during academic term; fulltime during holiday/summer
F-1 Practical Training	12 months Plus 17 month extension = 29	Must have been a fulltime student for one academic year; must currently hold F-1 status Employer with E-verify; STEM major	With the recommendation of the Designated School Officer, students apply for a work permit (EAD) through the Department of Homeland Security.	Job must relate to the program of study; 40 hours after completion .
J-1 Student Campus	No limit	Fulltime enrollment In status	Authorization by J-1 Responsible Officer	20 hours during academic term; fulltime during holiday/summer Employment needs to be degree related.
J-1 Academic Training	18 months for Pre-doctoral degrees; 36 months (in 18-month increments) for postdoc positions	Must be J-1 student; Training must relate directly to course of study; student must be in good academic standing; academic advisor must recommend it.	Authorized in advance, in writing, by the Responsible Officer or Alternate Responsible Officer of the School.	Job must relate to the program of study. Time available for academic training is equal to the lesser of the full course of study or 18 months for pre-doctoral degrees (or 36 months for postdoctoral training).
J-2 Dependent of J-1	J-1 is maintaining status Can work for any employer	Earnings should not be used to support J-1 status holder.	Must apply for and receive employment authorization document (EAD) from USCIS before commencing employment 1-3 year period of authorization	No limit as long as Employment authorization document is valid
J-1 Professor J-1 Research Scholars *	5 years	Must be coming to engage in academic or research exchange; must have the intent to return to home country	Authorized by virtue of status	Work is limited to the institution(s) included on the DS-2019; occasional lectures can be pre-approved by Responsible Officer; cannot be used for tenure-track positions; may be subject to the 2-year home residency requirement if government funding or skills list

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H-1B Temporary Workers in Specialty Occupation	6 years total stay, regardless of number of employers, obtainable in maximum of 3 year increments at a time	Baccalaureate degree in the field as normal minimum entry requirement; individual must generally have the degree as well as any necessary licenses or certifications for the profession and their position meet the specialty criteria. UNC Charlotte processes H-1 only for faculty & researchers with academic appointments. PhD & limited MA/MS	Employer must pay the prevailing wage or higher (<u>Labor Condition Application</u>) with Department of Labor and petition for permission to employ individual; depending upon region of country can take 2-3 months. Processing fees paid by employer: 1) Petition - \$325: Initial & renewal 2) Fraud Protection Fee - \$500: Initial only <u>Premium Processing</u> (\$1,225 fee) will reduce processing to 2 weeks. ‘240-day rule’: allows employment to continue while extension is pending. <u>Portability</u> : H-1 with previous employer can work up to 240 days pending adjudication of petition.	Employment limited to petitioning employer & to the position described in petition. Not available to individuals in J-1 status with a two-year home residency requirement. These J-1 scholars must apply & receive a waiver of two-year residency requirements (212e). H-4B is NOT eligible for employment
H-4B Dependent	Same as H-1B	N/A		
TN (under NAFTA)	Indefinite; attainable for only 1-3 years at a time	Must be one of the professions specifically outlined in the treaty	<u>Canadians</u> : present detailed job offer letter at port of entry; letter should outline job requirements as well as individual’s qualifications. No annual quota. <u>Mexicans</u> : Obtain TN visa from US council must first receive an approved petition from USCIS. 3,000 annual quota.	Up to 3 for initial year authorization and unlimited 3 year extensions. Must still maintain adequate ties to home country to overcome a presumption of intending to immigrate
Pending Permanent Resident (Non- Resident status is usually F-1, H-1, H-4, F-2)	No limit as long as residency application is pending	No limit on hours	Must have valid immigration Employment Authorization Document (EAD) issued by USCIS EAD is issued for one or more years and renewable indefinite on 1 year increments	Cannot work without valid EAD

SHORT TERM COLLABORATIONS/VISITS

Status	Duration	Eligibility Requirements	Procedure	Limitations
<p>B-1 Business Visitor</p> <hr/> <p>WB: Visitor exempt from visa requirements for specified countries</p>	<p>B-1: Admitted for length of business up to 6 months; extensions may be possible</p> <hr/> <p>WB: limited to 90 days and no extensions</p>	<p>Individual coming to U.S. to conduct research on behalf of foreign employer or for self; coming to observe, coming to participate in conferences, etc.</p>	<p>B-1: Individual applies for visa stamp at U.S. Embassy/Consulate, explaining purpose of visit. Canadians are exempt from visa stamp requirement.</p> <hr/> <p>WB: Exempt from visa; at port of entry provide passport evidence of citizenship and return ticket.</p> <hr/> <p>Canadians: Exempt from visa requirement; provide passport, evidence of Citizenship; extensions are possible.</p>	<p>B-1 & WB: Under certain conditions can be given honoraria payments if activity is 9 days or less and if individual has not received payments from more than 5 institutions in preceding 6 months.</p> <p>Incidental reimbursements for per diem and travel</p>
<p>B-2: Visitor for Pleasure</p> <hr/> <p>WT: Pleasure Visitor; Exempt from visa-stamp requirement</p>	<p>B-2: Admitted for length of business up to 6 months; extensions may be possible</p> <hr/> <p>WT: limited to 90 days and no extensions</p>	<p>Individual coming for pleasure; not intended for employment</p>	<p>B-2: Individual applies for visa stamp at U.S. Embassy/Consulate, explaining purpose of visit. Canadians are exempt from visa stamp requirement in passport.</p> <hr/> <p>WT: Exempt from visa; at port of entry provides evidence of citizenship and return ticket.</p>	<p>B-2 & WT: Under certain conditions can be given honoraria payments if activity is 9 days or less and if individual has not received payments from more than 5 institutions in preceding 6 months.</p> <p>Cannot receive reimbursements for travel or per diem</p>
<p>J-1 research scholar or professor sponsored by another institution</p>	<p>Occasional lectures and short-term consultations</p>	<p>Lecturer and/or consultations must be incidental to the individual's primary activities, must relate directly to the activities he/she is here for and must not delay completion date of J-1 program.</p>	<p>Individual must obtain prior written permission from the Responsible Officer for their J-1 program.</p>	<p>Only occasional lectures are permitted, should a more long-term collaborative relationship develop; possibility of formalizing the relationship should be explored.</p>
<p>J-1 Short-term Scholar</p>	<p>6 months or less</p>	<p>Coming to conduct short-term collaborative research whether paid by sponsoring institution or another source.</p>	<p>Individual must obtain DS-2019 form sponsoring institution and apply for J-1 visa stamp at U.S. Embassy.</p>	<p>Cannot be extended beyond 6 month stay.</p>