



DATE: Current through 2017
FROM: International Student & Scholar Services (ISSS)
Georgia State University / T: 404-413-2070
TO: HR Dept., Hiring Supervisor, Internship Coordinator, Private Employer, Insurance Company
RE: Initial Optional Practical Training (OPT)

To Whom It May Concern:

This memo is written to briefly explain the OPT Program in case you are unfamiliar with it. This information is intended for use by the Georgia State University International student presenting this memo for benefits or insurance eligibility purposes. This information is also presented on our website at:

<http://iss.gsu.edu/current-students/employment-authorization/f-1-practical-training/optional-practical-training-opt/>

Optional Practical Training (OPT) is **legal employment authorization** granted by *US Citizenship and Immigration Services (USCIS)* as an optional benefit to students in F-1 visa status. OPT is governed by the Code of Federal Regulations at: 8 CFR § 214.2 (f) (10)(ii)

OPT provides international students who are lawfully present in the US on F1 visas the opportunity to gain professional experience, aka, "practical training" through employment in their major field of study upon completion of a degree program. Students may apply for and accept employment offers prior to OPT approval; however, they may not legally begin work or be paid until they can present the employer with their unique, original EAD (Employment Authorization Document), which reflects their valid dates of employment. The student should also obtain a corresponding form I-20 that indicates "OPT Approved". Students may request an updated I-20 from ISSS once their EAD card is delivered. Note: The EAD card is also commonly referred to as an "OPT Card."

Employers only need to retain copies of these documents to be in compliance with hiring requirements. Employers may always contact ISSS to confirm the validity of these documents. International students bearing an EAD card and corresponding form I-20 with "OPT Approved" on page 2:

- are eligible for 12 initial months of OPT once per degree level completed.
- may work anywhere in the U.S.
- may work unlimited hours on post-OPT.
- are to be paid the prevailing wage, if pay is offered.
- may not be paid less than a US counterpart in the same role for doing the same work.
- are eligible for and must apply for a Social Security Card for tax withholding purposes upon hire.
- may only accept employment in fields of work related to their degree.
- may accept paid or unpaid internships.
- are required to pay the same local, state and federal taxes as US citizens; individuals on OPT file tax returns and may apply for tax refunds based on various treaties their countries may have with the U.S. It is the student's responsibility to report income in the case of "freelance" opportunities or those paid in cash.
- may travel outside the US and return if they can document proof of employment.
- may arrange a series of short-term jobs or part-time employment in lieu of full-time employment.

Sample Employer Letter on Company Letterhead

Supporting U.S. Re-Entry for International Student on approved OPT

{COMPANY LOGO}

Date (MM/DD/YYYY)

To Whom It May Concern:

This letter is written on behalf of {name of employee} to document his/her employment at {name of company} located at {street address} in {city, state, zip}. {First name of employee} is authorized for employment in the U.S. under the Optional Practical Training (“OPT”) benefit of his/her F1 student visa. OPT is approved by USCIS (United States Citizen and Immigration Service) and governed by: 8 CFR 214.2(f)(10)(ii).

{Name of individual} began employment with us on {mm/dd/yyyy} and is currently employed as a {job title} approximately {# hours / must be at least 20} per week. {name of employee} is returning to the US after an approved absence to continue employment with us.

Optional (Here, employer may add 1-2 lines to explain job duties and relevance to the student’s degree program; this is advisable if there is not a clear and logical link between the degree program on the I-20 and the job title or type of business where the employment is located, in case the Customs and Border Protection (CBP) agent asks).

Thank you for helping facilitate this individual’s re-entry to the US to return to work for us under the OPT program.

Please don’t hesitate to contact me if you require additional information.

Sincerely,

{original signature}

Name of Supervisor

Title

Phone w/ area code

Email + www if applicable