

This information sheet provides an introduction to employment issues and options for international students in J-1 status at the University of Pennsylvania.

The most important employment issue to consider is *legal* (or "authorized") versus *illegal* (or "unauthorized") employment. Make sure that any employment you plan to engage in is legal, since illegal employment poses a grave threat to your ability to remain in or return to the United States. Also make sure you have the necessary employment authorization **before** you begin work. Starting work without prior authorization, even if you receive authorization later, constitutes illegal employment. Again, be aware that illegal, or unauthorized employment renders you illegally present in the US and can have serious consequences. If you have any questions concerning your eligibility or category of employment, please consult with International Student & Scholar Services (ISSS) before commencing employment.

Definition of Employment

Employment is any type of work performed or services provided in exchange for money, tuition, fees, books, supplies, room, food or any other benefit. If you receive no pay or other benefit for the work performed and the position is normally an unpaid position, this activity is considered to be volunteer work.

Eligibility Requirements

Different requirements exist for each type of J-1 employment, but there are basic requirements that must be met for any J-1 employment:

- You must currently be in valid J-1 student status and in good academic standing at the University of Pennsylvania while engaged in a full course of study, except during summer and school holidays.
- A student who is out of status is not eligible for J-1 benefits, including employment.
- Once employment is authorized, you must maintain your eligibility or you will lose your right to continue employment.

Categories of J-1 Student Employment

On-Campus Employment

J-1 students are generally permitted to work on the premises of the school that issued their currently valid DS-2019, while attending that school and maintaining their J-1 status. This work is part-time, limited to 20 hours per week when school is in session or full-time during holiday and vacation periods. Work on-campus is a benefit of J-1 visa status. Work on Penn's campus is permissible if it meets certain requirements. Please see the types below as defined by United States Citizenship and Immigration Services (USCIS):

Type 1: *Employment by the University of Pennsylvania*

This refers to any on-campus work for which you receive a paycheck (or other compensation, i.e. room and board) from the University of Pennsylvania or the University of Pennsylvania Health System.

Type 2: *Other Employment on Penn's Premises*

This includes work on Penn's campus for an outside contractor, *if this work provides direct services to students*. Please check with ISSS if you plan to work for an on-campus contractor.

Type 3: *Certain off-campus employment where there is an official educational relationship between Penn and the off-campus employer*

USCIS regulations allow work at an off-campus location, provided:

- the location is educationally affiliated with Penn
- the educational affiliation is associated with your school's established curriculum **or** is related to a graduate level research project which your school has contracted to perform
- the work is an integral or important part of your program of study

Clear documentation about the relationship between Penn and the employer is required. Please consult with an ISSS advisor.

If you are uncertain whether any proposed employment would qualify as "on-campus" employment as described above, please consult with an ISSS advisor.

Academic Training

J-1 students are eligible for eighteen months of academic training employment authorization for off-campus work unless they have spent less time in J-1 status, i.e. an exchange student who is enrolled for only one semester. Also, doctoral students who obtain a "postdoctoral training" position may be eligible for up to 36 months of academic training. Academic training provides an opportunity to apply theoretical knowledge obtained in an academic program to a practical work experience. This employment opportunity must be directly related to your major field of study. It may, in certain circumstances, be full or part time and may take place anywhere in the US. You may apply for academic training during your vacation periods, during the academic year, or for when you complete your studies. Academic training can be authorized by the Office of International Programs upon the recommendation of your academic advisor or by your J-1 program sponsor if not ISSS. For additional information and application materials, please see our web site.

Economic Hardship

J-1 students who experience a serious economic hardship due to an unforeseen change in their financial situation may qualify for off-campus employment authorization. Among the changes that may qualify a student for economic hardship authorization include unexpected loss of a scholarship, significant currency devaluation or large business loss by a financial sponsor. For more information, see our web site.

Social Security Number

In order to work in the US you will need a valid Social Security number (SSN). *Your Penn ID number is not a valid Social Security number.* Students may apply for an SSN only after they have been offered a job or upon receipt of work authorization. The Social Security Administration will process your application and a number will be sent to you. For more information, see our web site.

Taxes

In general, J-1 students who have been in the US for no more than five calendar years are exempt from Social Security (also known as FICA) and Medicare taxes. You should be sure to bring this to the attention of your employer because many employers are not familiar with this provision of the tax laws. If you need more information about the Social Security and Medicare tax exemption, please see our web site. Students in J-1 status are subject to all other taxes that may apply: federal, state and local.

Employment Eligibility Verification

Within the first three days of beginning work, you and your employer must complete a form entitled *Employment Eligibility Verification* (USCIS Form I-9). This form should be provided by your employer and must be updated each time you receive a renewal of your work permission.

Related Links

ISSS Instructions and Forms: <http://www.upenn.edu/oip/iss/forms.html>

J-1 Academic Training: <http://www.upenn.edu/oip/iss/visa/j1/student/training.html>

J-1 Economic Hardship Employment: <http://www.upenn.edu/oip/iss/visa/j1/student/hardship.html>

Maintaining J-1 Student Status: <http://www.upenn.edu/oip/iss/visa/j1/student/status.html>