Purpose

This handout is designed for students in J-1 status. It will provide you with an overview of the two categories of J-1 student work opportunities established by the U.S. Department of State. For advice and further information, consult your J-1 Responsible Officer or your Foreign Student Advisor.

Your J-1 Responsible Officer

Whatever type of employment you are considering, you must obtain approval in writing from your J-1 Responsible Officer, who represents your J-1 sponsor and issues your Form DS-2019. Before approval, the J-1 Responsible Officer is obligated by regulation to evaluate the proposed employment in the context of your program and your personal circumstances, and then decide whether it would be appropriate or not.

If your school is your sponsor, then your J-1 Responsible Officer is probably your Foreign Student Advisor. If your J-1 sponsor is an agency, and if you are uncertain how to reach your J-1 Responsible Officer, your Foreign Student Advisor will help you find out, but has no authority to grant employment permission.

Definition of “employment”

“Employment” is any type of work performed or services provided in exchange for money, tuition, fees, books, supplies, room, or for any other benefit. If you receive no pay or other compensation for work performed, the activity is not defined as “employment” but is considered to be “volunteer work”.

The two categories of employment available to J-1 students:

Category 1: “Student Employment”

J-1 “Student Employment” is limited to 20 hours per week except during school breaks and annual vacation. Your J-1 Responsible Officer can approve “Student Employment” for up to one year at a time.

Type 1: Employment required by a scholarship, fellowship, or assistantship. This kind of work usually occurs on-campus, with the school as the employer. In certain circumstances, however, the work can be done elsewhere, for a different employer. You might work in a government or private research laboratory, for example, if your major professor had a joint appointment there, and would be supervising you in work that would count towards your degree.

Type 2: On-campus jobs unrelated to study. The regulations allow for jobs on-campus that are unrelated to study, and they stipulate only that the work be done “on the premises” of the school. That means that the school does not have to be the employer, and that you could work for a commercial company, such as a food service, in its operations on your campus.
Type 3:  Off-campus jobs. “necessary because of serious, urgent, and unforeseen economic circumstances” that have arisen since your arrival in the United States as an Exchange Visitor, or since your change, inside the country, to J-1 status.

Category 2:  “Academic Training”

“Academic Training” is employment in the field of your academic program in the United States. To determine the number of months of “Academic Training” for which you are eligible, see the “Before completion” and “After completion” paragraphs immediately below. In counting months of authorization, part-time “Academic Training” counts the same as full-time.

Before completion of your program of study. With permission for “Academic Training” you may work part-time while classes are in session and full-time during vacation periods. Under certain circumstances, you may interrupt study to work full-time, for example while you are writing a thesis. The limit is 18 months or the time that you have been a full-time student, whichever is shorter, unless the employment is a degree requirement.

After completion of your program of study. If you can show your J-1 Responsible Officer a written offer of appropriate employment no later than 30 days after the end of your program, you will be eligible for “Academic Training” after the completion of your studies. The limit is 18 months or the time that you were a full-time student, whichever is shorter, minus any previous “Academic Training”. Note, however, that if you receive a doctorate at the conclusion of your J-1 student program, you then become eligible for three years of “postdoctoral training” such as research, or minus any “Academic Training” used before the doctorate was awarded.

How to apply. To apply for academic training you will need to submit the following:

- Letter of offer from employer (see sample letter)
- Letter of recommendation/support from supervising professor/academic advisor or fill out the Recommendation For J-1 Academic Training form.
- Do so at least two (2) weeks prior to beginning of employment

Summer Employment for Students Transferring From One J-1 Program to Another

If you intend to transfer programs between academic years and you want to work at the old school during the summer, you must delay the transfer procedure until after the period of employment, and must obtain employment authorization from the old school’s J-1 Responsible Officer. This will be possible only if the school’s Form DS-2019 remains valid (see the dates in item #3) throughout the employment. To work at the new school, you must first carry out the transfer procedure and then apply to the J-1 Responsible Officer at the new school for work authorization to work. The new school’s Form DS-2019 must take effect (see item #3) by the beginning date of your employment authorization.

Authorization to Work

A Social Security Number. To put you on the payroll, your employer will need your Social Security number, which you can obtain by applying for a Social Security card. Take your passport (if you are Canadian you may use another form of photo-bearing identification), I-94 Departure Record card, the pink copy of your Form DS-2019, and your J-1 Responsible Officer’s written work authorization to an office of the Social Security Administration. Your social security card may be stamped “Not Valid for Employment”. The stamp will not make you ineligible to work; it means only that no funds will ever to go into the Social Security account represented by that number.

Form I-9, “Employment Eligibility Verification”. When you begin work, you and your employer must complete Form I-9, which requires you to document your identity and work authorization according to the directions on the back of the form. Of the various items acceptable as documentation, you may find that the most convenient combination is your DS-2019, and your J-1 Responsible Officer’s written work authorization. Your employer, who keeps Form I-9, will make copies of the documents you submit, and
return the originals to you. Form I-9 must be updated each time you receive renewal of your work permission.

**Employment of J-2 dependents**

Your J-2 dependents may apply to the Immigration & Naturalization Service for authorization to work. They may not legally work to support you, the J-1 student, or to pay any of the expenses of your program of study.

**A note of caution**

As a J-1 student you are eligible for a variety of work opportunities in the United States, but employment without proper authorization is a serious violation of your status. Remember that before you start any kind of employment, you must first consult your J-1 Responsible Officer, whose written approval is necessary in advance.

UAB/ISSS-sf
overviewemployJ1-5/24/04
RECOMMENDATION FOR J-1 ACADEMIC TRAINING

The University of Alabama at Birmingham
International Scholar & Student Services
HUC 250. 1530 3rd Avenue South (mailing address only)
Birmingham, AL  35294-1150

Dear _______________________:

Mr/Ms ________________________________, a University of Alabama at Birmingham J-1 student majoring in ____________________________, wants to engage in the “Academic Training” program discussed below.

1. DESCRIPTION OF TRAINING PROGRAM.
Location:  ___________________________________
Job title:  ____________________________________________
Name and address of the training supervisor:  _______________________________________________
____________________________________________________________________________________
Number of hours per week ________       Training dates:  From ________to _________

2.  GOALS AND OBJECTIVES OF THE SPECIFIC TRAINING PROGRAM.
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

3.  HOW DOES THE TRAINING RELATE TO THE STUDENT’S MAJOR FIELD OF STUDY?
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

4.  WHY IS THE TRAINING AN INTEGRAL OR CRITICAL PART OF THE ACADEMIC PROGRAM OF THE EXCHANGE VISITOR STUDENT?  ___________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

As the student’s Academic Advisor or Dean, I have set forth the nature and details of the academic training program.  I approve the amount of time requested as necessary to complete the goals and objectives of this training.  With this letter I recommend that you authorized this student to participate in the “Academic Training” program that I have described.

Sincerely,

_______________________________________________  ________________
Signature of Academic Advisor or Dean                           Date

_______________________________________________
Name and Title of Academic Advisor (Please print or type)

Evaluation by Responsible Officer

1. I have reviewed this letter and determined that the Academic Training being requested _____ is _____ is not warranted.
2. The criteria and time limitations set form in 22CFR514.23(f)(3) and (4) _____ are _____ are not satisfied.
3. In order to ensure the quality of the “Academic Training” program, I hereby evaluate the effectiveness and appropriateness of the “Academic Training” in achieving the states goals and objectives as follows:   
   _____Satisfactory _____Unsatisfactory

Name & Title of J-1 Responsible Officer or Alternate  _____________  Date
April 1, 1999

Mr. Christopher Columbus
10 Water Street
Birmingham, AL  35235

Dear Mr. Columbus:

This is to confirm that Paradise Incorporated is offering you employment as a Computer Engineer for 18 months starting June 7, 1999. This employment will serve as “academic training” following your Master of Science program in Computer and Information Sciences at the University of Alabama at Birmingham.

The goals and objectives of your training with us will be practical experience in computer programming through serving as a software engineer.

The location of your training program will be at the address listed above.

Your training supervisor will be Mr. Joe Smith, Vice-President of the firm. His address and telephone number appear above the letterhead.

You will be expected to work 40 hours each week.

On behalf of the company, I welcome you to Paradise Incorporated.

Sincerely,

Susan Stone
Director of Personnel