

# OPTIONAL PRACTICAL TRAINING (OPT)

OPT is temporary “unrestricted” employment that is directly tied to an F-1 student’s major area of study. No job offer is required. **Always apply – even if you are not sure of your post-graduation plans!**

OPT is granted to the student up to 12 months per degree level.



Scan QR code to contact us via WeChat!

## CPT VS. OPT

- Some students may be eligible for CPT (curricular practical training) that allows them to accept internships and work during the school year and vacation
- Following one academic year of enrollment, an F-1 student may be authorized to participate in “pre-completion OPT”
- Students should check with their school’s DSO
- Most students “save” their 12 months of OPT to be used post-completion after graduation

## TRAVELING UNDER OPT

A student on post-completion OPT may travel outside the United States. In order to return to the U.S., the student should have:

- A valid passport
- A valid Form I-20 endorsed for travel by their school’s DSO (*During OPT, signature should be less than 6 months old*)
- A valid F-1 visa stamp in their passport (If your F-1 visa stamp is expired, you must apply for a new F-1 visa at a U.S. consulate or embassy abroad prior to return)
- A valid EAD card and evidence of employment (Travel outside of the U.S. prior to receiving your EAD card and securing employment: **not advisable**)

## STEM OPT

- F-1 students in science, technology, engineering or mathematics employed by businesses enrolled in E-Verify may extend their OPT by 24 months, for a maximum of 36 months of OPT

## WHEN TO APPLY FOR OPT

- Up to 90 days before the end of the academic program; AND
- No later than 60 days after graduation.
- Always check with your school’s DSO for exact dates and filing procedures



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# OPT AND UNEMPLOYMENT

F-1 status during OPT is dependent on employment:

- 🔍 F-1 students may not accrue more than 90 days of unemployment during their 12 months of OPT
- 🔍 Students with an approved 24-month STEM OPT period may accrue an additional 60 days of unemployment are permitted (for a total maximum of 150 days)

## UNPAID INTERNSHIPS AND VOLUNTEERING

- 🔍 For regular OPT, you can avoid accruing unemployment by working as a volunteer or unpaid intern, provided the role does not violate applicable labor laws
- 🔍 Volunteering option during STEM OPT extension – on STEM OPT, a bona-fide employer-employee relationship must exist
- 🔍 According to U.S. federal labor laws, unpaid internships are:
  - ▶ Structured in a particular way to be **of benefit to the intern** and not necessarily the provider
  - ▶ Uncompensated for all, **irrespective** of immigration status or employment eligibility
  - ▶ Cannot be **retroactively** compensated
- 🔍 Unpaid internships are also subject to state law and F-1 students should always coordinate with their school's DSO before proceeding

## OPT AND TAXES

- 🔍 F-1 students who are nonresident aliens for tax purposes while on OPT are exempt from paying Social Security and Medicare taxes
- 🔍 After first five calendar years of F-1 status, resident alien tax status is determined by the “Substantial Presence Test” – a student’s first five calendar years are exempt from the Substantial Presence Test
- 🔍 Nonresident aliens must follow applicable special instructions when completing their Form W-4
- 🔍 Unless an F-1 student qualifies under a tax treaty between the U.S. and the student’s home country, the student’s earnings under OPT will be subject to applicable federal, state and local taxes, and employers are required to withhold such taxes from the student’s paycheck
- 🔍 Consult a tax professional



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