

## F-1 Student Visa Holder Employment

### Sample Procedure

The following table contains a sample procedure that may be used when employing F-1 student visa holders.

**Note:** If the sample procedure is used, the steps should be taken for each academic-year appointment.

Step	Action
1	Verify the person's F-1 student status and eligibility to work. Contact the SUNY international student office or advisor if necessary.
2	Appoint the student to the payroll. Note: The work authorization date and appointment period cannot extend beyond the academic year.
3	At the end of each academic year, reverify the employee's F-1 student status with the SUNY international student office or advisor.
4	If the student's F-1 status is verified and the student is eligible to work, update the work authorization date and reappoint the student for up to one academic year.
5	If the student's F-1 status has terminated, verify that the student has been approved by the USCIS for a change to an employable category before reappointing the student. This can be done by contacting the SUNY international student office or advisor.
6	If employment is part of practical training: <ul style="list-style-type: none"> <li>• establish that it is directly related to the F-1 student's field of study.</li> <li>• verify that any curricular practical training has been authorized by the campus international student office or advisor.</li> <li>• verify that any optional practical training has been authorized by the INS.</li> </ul> <p>This can be done by contacting the SUNY international student office or advisor.</p>

### Taxation

An F-1 visa holder's taxation status depends on many factors such as country of origin and

number of eligible exemptions. An F-1 visa holder is usually considered a nonresident for tax purposes for up to five years, and therefore exempt from FICA. For further information on taxation issues affecting F-1 visa holders, contact the Corporate Office of Employee Services at (518) 434-7083.

## **Responsibilities**

### **Operating Locations**

The Research Foundation (RF) operations manager is responsible for ensuring that

- employment of all F-1 student visa holders is in compliance with Research Foundation policy and procedures.
- employment of all F-1 student visa holders is monitored.
- accurate and complete records pertaining to the employment of F-1 student visa holders at the location are maintained.

### **Central Office**

The director of the Central Office of Employee Services is responsible for

- providing operating locations with guidelines and legal requirements for the employment of F-1 student visa holders.
- communicating to the RF operations manager or designee any changes in laws regarding and affecting employment of F-1 student visa holders.