



Career and Visa Options for International Students

This material is directed towards MSU international students who are or will be applying for internships and/or jobs within the United States. Areas covered will be specific aspects of the challenges international students face in the U.S. job market and how to successfully prepare a resume and conduct an interview “American style.” In addition, visa options will be addressed including Curricular Practical Training (CPT), Optional Practical Training (OPT), H-1B Temporary Workers in Specialty Occupations visas, and Permanent Residency (“green card”).

Please read over all slides in advance of attending Q & A session.

Questions and Answers based upon this information will be held:

Monday, November 9, 2009 from 1:00 p.m. – 1:30 p.m.

CSU 201, Minnesota State University, Mankato

Presenters: Staff from the Kearney International Center and the Career Development Center

Outline of Information/Materials

- ◆ Job market overview
- ◆ Visa Options
- ◆ Resume
- ◆ References
- ◆ H-1B employment
- ◆ Interviewing
- ◆ Job Search
- ◆ Advice/Tips
- ◆ Services: Career Development Center & International Center
- ◆ Questions/Answers by presenters – at session

Monday, November 9, 2009 from 1:00 p.m. – 1:30 p.m. in MSU - CSU 201. If you cannot attend and have questions, e-mail julie.rabaey@mnsu.edu

Job Market Overview

- ♦ **Job Market data resources: 1) National Association of Colleges & Employers employer survey 2) Minnesota Job Outlook Survey (St. Cloud State).**
- ♦ **Latest on the overall job market for Class of 2009 (March 2009 data): employers report that overall college hiring will be cut by 22%—much of this decline has occurred during the last 2-3 months. Finance sector hit hardest.**
- ♦ **Tough for all new grads but “trickle down” negative effect for international graduates/non-citizens.**
- ♦ **Only areas of growth (although minimal) are seen in federal government agencies and a group of companies within the logistics, transportation, and utilities sector.**
- ♦ **Regionally, Northeast & West hit harder than Midwest/South.**
- ♦ **Still too early to predict what Fall 2009 will bring for the college grad job market.**
- ♦ **National Association of Colleges & Employers Position Statement Concerning the U.S. Talent Crisis.**

Immigration Alphabet Soup – Work Visas

- ◆ Clarification of Immigrant and Non-Immigrant
(See [Supplement A](#))
- ◆ Common categories for employment
(See [Supplement B](#), [C](#))

Also refer to the Kearney International Center
website: www.mnsu.edu/international/staff.html

Common Cultural Differences with the U.S. Job Search

- ◆ **Self-promotion:** be assertive (not aggressive) & follow-up with employers
- ◆ **Direct communications:** direct responses; eye contact; let the employer bring up salary & benefits issues; ask good questions at the end of the interview
- ◆ **Self-disclosure:** skills, experiences
- ◆ **Career awareness:** what are your goals? Knowledge of self.
- ◆ **Individual responsibility in finding employment:** use MANY resources; be your own best advocate; **NETWORK!**
- ◆ **Individual equality:** politeness; respect shown to all regardless of gender, age, etc.
- ◆ **Expectation of knowledge of organization prior to interview**

U.S. Resume vs. International Resume

U.S.

- ◆ Concise, attractive marketing tool — summarizes jobs, skills, accomplishments, and academic background relevant to employment objective
- ◆ 1 to 2 pages maximum
- ◆ Does *not* include personal information such as age, marital status, race, religion, pictures
- ◆ Self-promotion EXPECTED!

International

- ◆ Chronologically details academic and formal work experience
- ◆ Sometimes 2 or more pages
- ◆ Sometimes includes age, marital status, race, religion, or a picture
- ◆ Self-promotion may not be standard

•Information from NACE's JobWeb Career Library at
<http://www.jobweb.com/students.aspx?folderid=225> Author: Caprice Lantz

Resume Tips for International Students

- ◆ Introduce employers to foreign companies and schools by providing a frame of reference. *Example: A \$10 million marketing firm.; One of the top five universities in China.; Second largest technology manufacturer in Europe.; Nigerian version of McDonalds.*
- ◆ Emphasize strong English skills on the resume. For example: "Translated written and spoken English on a daily basis for two years." Consider including evidence—test scores (verbal & written); list writing & English courses on resume.
- ◆ Ensure that writing skills are up to American standards by taking courses that include writing. Visit the Academic Success Center on-campus if you need assistance.
- ◆ Make sure your resume is free from grammatical and spelling errors as well as awkward use of language.
- ◆ Meet with a career counselor for a resume critique in order to achieve the best possible display of skills and background. *Tip: for your first visit, schedule an individual appointment by contacting the CDC front desk to allow for more in-depth, focused assistance!*
- ◆ Maintain up-to-date copies of your resume in the format and language of native countries to serve as back-up for employment in home countries or to pass on to contacts.
- ◆ Do NOT include visa status on resume

References

- ◆ **Professors, advisors, former employers**
 - Get to know your professors early so you can use them as references when job searching
 - Make sure to maintain contact with them over the years so they remember you
- ◆ **Ask the person before you list them as a reference**
- ◆ **Give your references a copy of your resume for them to refer to & keep them posted on your search and when they may be receiving a call**

H-1B Visa

- ◆ Descriptions (See [Supplement D](#))
- ◆ Quota realities – *Past Cap Gap Issue with now a SEVIS resolution option if on F-1 OPT (next slide)*
- ◆ Planning ahead (filing up to six months in advance)

H-1B Cap Gap Scenario

- ◆ Student (Elodie) is graduating in Spring semester.
- ◆ Must apply for OPT prior to or within 60 days of graduation (May 8, 2010) – doesn't have a job lined up so she requests a start date of the OPT card (an Employment Authorization Document) to begin at the maximum start date of July 8, 2010 with then an ending date of one year – July 7, 2011.
- ◆ Elodie doesn't get a job right away in July but continues to “actively seek employment” - she is hired August 1, 2010. Her employer is small and has never hired an international employee before. Elodie urges them to start investigating the option of filing for an H-1B on her behalf.
- ◆ After a few months, the Human Resource Director begins the H-1B paperwork and files it November of 2010. The employer receives notice that the H-1B cap has been reached for this year. The employer learns that the next available “round” of H-1Bs will not be available until October, 2011.
- ◆ Elodie's OPT is authorized through July 7, 2011. She has an additional grace period to stay in the U.S. for up to 60 days (but she cannot work) which would be September 7, 2011. This leaves over 20 days of a “gap” between the F-1 OPT and the start of the H-1B (October 1). The resolution of “cap gap” cases had not been predictable in past. Therefore, the cap gap was very problematic.
- ◆ Cap Gap Extension option available in SEVIS with proof of H-1B filing provided to the International Center, MSU (Following procedures under OPT section of website: <http://www.mnsu.edu/international/currentstudents/f-1/employment.html> .New I-20 extending OPT to October 1 will be issued which allows continuous stay/employment on OPT.

•[Graph](#) of scenario

Legalities to be aware of...

- ◆ It is lawful for the employer to inquire about an applicants authorization to work prior to or during an employment interview.
- ◆ Employers must take care, however, to not violate federal laws (ex. Civil Rights Act) which prohibits discrimination based on national origin, religion, or other protected classes of individuals. (ex. questions regarding citizenship or national origin are not allowed under law).
- ◆ Although many F-1 & J-1 students are authorized to work after graduation using F-1 OPT or J-1 academic training, because those students will eventually require sponsorship for work visas, an employer does not violate the law by refusing to sponsor an international student. Therefore, an employer does not have to interview or hire foreign students in F-1 or J-1 status if they do not wish to sponsor the individual for a work visa.

Approaching the Topic of H-1B Visas with Employers

- ◆ The reality: many employers are intimidated by the U.S. immigration process & have policies limiting sponsorship of non-U.S. citizens/permanent residents.
 - 1) This type of a policy *is* lawful in the U.S. 2) Be respectful of this, yet be prepared to (gently) educate the employer.
- ◆ Seek out companies that are “international student friendly” & have a history of H-1B sponsorship.
 - < H-1B Sponsoring Companies (High Tech):
<http://www.geocities.com/ResearchTriangle/6663/visa.html>
 - < Foreign Labor Certification (FLC) data (U.S. Dept. of Labor):
<http://www.flcdatacenter.com/CaseH1B.aspx>
- ◆ Learn about the sponsorship process including hiring and paying for a lawyer and be ready to educate employers when the situation presents itself. Handout: “Easy Guide to Hiring Foreign Graduates” from McCandish Holton Immigration Practice Group. *Tip: keep it brief and simple.*

Approaching the Topic of H-1B Visas with Employers

- **Do not begin an interview or letter with an inquiry regarding H1-B sponsorship.** Discussions about sponsorship should come later, either *when the employer brings it up or when you are offered the position.*
- **Offer to provide more information** about future visa options (e.g., H-1 B) if they are interested.
- Avoid use of the word “sponsor”. (“petition”)
- Explain that it is NOT required for the employer to show that there are no U.S. citizens qualified for the job, only that you meet the minimum requirements.

Sampling of MN Employers Hiring H1-B Candidates (2007)

- ◆ Total: 2,000+! From the website <http://www.flcdatacenter.com/CaseH1B.aspx>
- ◆ Norsoft Consulting (Apple Valley): Computer Systems Analyst
- ◆ Parenting Resource Center (Austin): Social Programs Specialist
- ◆ Andersen Corporation (Bayport): Quality Engineer
- ◆ Montessori Children's House (Bloomington): Teacher
- ◆ North Hennepin Community College (Brooklyn Park): Spanish Instructor
- ◆ Telex Communications, Inc. (Burnsville): Inside Sales Representative
- ◆ Hazelden Foundation (Center City): Chemical Dependency Counselor
- ◆ West Publishing Corporation (Eagan): Project Manager

Legal vs. Illegal Questions

ILLEGAL

- ◆ Are you a U.S. Citizen?
- ◆ Where were you/your parents born?
- ◆ What is your “native tongue”

◆ **LEGAL**

- Are you authorized to work in the United States?
- What language/s do you read/speak/write fluently? (Only if relates directly to the job)

Your options for addressing illegal questions:

- 1) Just answer the question.*
- 2) Politely point out that the question doesn't relate to the job and don't answer the question.*
- 3) Try to address the underlying concern.*

Tips for Interviewing in the United States

- ♦ Be punctual. Arrive 5-15 minutes prior to interview.
- ♦ Eye contact is expected and shows confidence.
- ♦ Interviewer styles vary. May begin with direct questions or minimal small talk.
- ♦ Questions regarding age, race, sex, and marital status are illegal.
- ♦ Expect direct questions regarding competency, experience.
- ♦ Expect open discussion of accomplishments and skills shows confidence.
- ♦ Follow the interviewer's lead.
- ♦ Race, gender, age should NOT affect interview relationship.

Interviewing in the U.S. (continued)

- ◆ Talking about strengths, weaknesses, personality, leadership style, problem-solving abilities, etc. may be appropriate.
- ◆ Researching the organization and demonstrating knowledge during the interview is expected. Shows initiative and interest.
- ◆ Inquiring about the status of an application after the interview is acceptable and demonstrates interest in the position. Be careful not to overdo it!
- ◆ Be prepared for “behavioral interview” questions which include responses based on concrete examples of past situations and results (ex. “tell me about a time when you worked as a team member effectively”—see CDC’s Job Search Handbook for other examples & tips).
- ◆ **DON’T:** apologize or offer excuses for shortcomings; criticize past or present employers, teachers, schools, or colleagues; discuss personal, domestic, or financial problems; do not be afraid to ask what you need to know (ex. are there opportunities for advancement? What is the work environment like?).

Additional Advice for International Students

- ◆ **Look for companies with an international focus or presence.**
- ◆ **Market yourself positively and assertively!**
 - Be prepared to tell employers how hiring you offers more advantages than disadvantages.
- ◆ **Choose a major/specialization in demand &/or improve your “technical” skills (ex. computer, scientific).**
- ◆ **Use of a variety of resources for identifying jobs (friends, family, career services, academic mentors, etc.) Emphasize NETWORKING!**
- ◆ **Be flexible**
 - Be willing to consider a number of types of job opportunities within your field of study
 - Visit “What Can I do with this degree?” for specific ideas:
<http://www.mnsu.edu/cdc/students/undeclared/whatmajor/index.html>
 - Try also Weedles Professional Association Directory by major:
<http://www.weddles.com/associations/index.cfm>
- ◆ **Lastly, be patient and persistent, even when it is difficult!**
- ◆ **Start early (year before graduation) & have an alternative plan**
- ◆ **Do NOT lie about your visa status, but don’t draw attention to it either.**

Permanent Resident

- ◆ **Employment-based PR is just one option. Department of Labor “labor certification” requires the “only” qualified applicant for private industry.**
- ◆ **Regulations and wait times change. Current political climate affects the policies/procedures**
(See [Supplement E](#))

Career Development Center Services

- ◆ **CDC Quickstop: Monday noon-2:30 & Tuesday-Friday, 11:30-2:30 in the CDC Career Resource Library (Spring Semester 2009)**
- ◆ **Career Resource Library & website resources**
- ◆ **CDC Job Search Links for International Students**
<http://www.mnsu.edu/cdc/students/jobsearch/links.html> (under “international student resources)
- ◆ **Mavjobs.com**
- ◆ **Individual appointments**
 - Help with choosing a major
 - Job & internship search assistance
 - Resume/cover letter assistance
 - Practice interviews

International Student and Scholar Services within the International Center

- ◆ To pick up forms – Kearney International Center Front Desk, CSU 250
- ◆ Quick questions – Walk-in hours
- ◆ To request CPT, OPT – Complete forms first; make an appointment.

For upcoming graduates, you should apply for OPT prior to graduation but you can wait up to 60 days after. However, your EAD begin date must start by 60 days after graduation. The longer you wait to apply, the longer it may take to obtain the card (60-90 days). You may lose time of your one year of OPT by delaying the application process.

OPT Reporting Requirements

SEVP Policy Guidance 0801-01

Updates to Post-Completion Optional Practical Training

7.2.1. What types of employment are allowed for regular pre- and post-completion OPT?

All OPT employment, including post-completion OPT, must be in a job that is related to the student's degree program. For students who are not on a STEM extension, this employment may include:

Paid employment. Students may work part time (at least 20 hours per week when on post-completion OPT) or full time.

- * **Multiple employers.** Students may work for more than one employer, but all employment must be related to the student's degree program and for pre-completion OPT cannot exceed the allowed per week cumulative hours.
- * **Short-term multiple employers (performing artists).** Students, such as musicians and other performing artists may work for multiple short term employers (gigs). The student should maintain a list of all gigs, the dates and duration. If requested by DHS, students must be prepared to provide evidence showing a list of all gigs.
- * **Work for hire.** This is also commonly referred to as 1099 employment where an individual performs a service based on a contractual relationship rather than an employment relationship. If requested by DHS, students must be prepared to provide evidence showing the duration of the contract periods and the name and address of the contracting company.
- * **Self-employed business owner.** Students on OPT may start a business and be self-employed. In this situation, the student must work full time. The student must be able to prove that he or she has the proper business licenses and is actively engaged in a business related to the student's degree program.
- * **Employment through an agency.** Students on post-completion OPT must be able to provide evidence showing they worked an average of at least 20 hours per week while employed by the agency.
- * **Unpaid employment.** Students may work as volunteers or unpaid interns, where this does not violate any labor laws. The work must be at least 20 hours per week for students on post-completion OPT. These students must be able to provide evidence from the employer that the student worked at least 20 hours per week during the period of employment.

OPT reporting and OPT Extension Information and Cap Gap Assistance

- ◆ Provide information on your employment (paid/unpaid):

http://www.mnsu.edu/international/currentstudents/f-1/opt/info_update.php

- ◆ General information on OPT STEM Extension:

<http://www.mnsu.edu/international/currentstudents/f-1/opt/>

- ◆ Request for a “cap gap” extension in SEVIS –
Contact International Center to extend OPT time
and issue I-20:

<http://www.mnsu.edu/international/currentstudents/f-1/opt-stem-process-1.pdf>

Questions/Answers

THANK YOU! We intend to provide a version of this presentation on the Web for you to access. At present, the past session is on the International Center website:

<http://www.mnsu.edu/international/immigrationlaws/>

IC Supplement (A)

See Non-Immigrant / Immigrant Clarification Handout

Immigration Alphabet Soup – Work Visas/
Clarification: “Immigrant” or “Non-immigrant”

- ◆ Immigrant = Individual may remain in the U.S. indefinitely
- ◆ Non-immigrant = Individual has been granted a non-immigrant/visa classification with a specific purpose and a determined period of stay in the U.S.

[Alphabet Soup Link](#)

Examples of common related terms/phrases for
employment – F-1, J-1, H-1B, TN

IC Supplement (B)

Typical non-immigrant employment classifications (student) – see Handout

- ◆ F-1 Student with Curricular Practical Training
- ◆ F-1 Student with Optional Practical Training
- ◆ J-1 Student with Academic Training

IC Supplement (C)

Typical non-immigrant employment classifications
(scholar, faculty, employee)

- ◆ J-1 Professor or Short-Term Scholar
- ◆ J-2 (Dependent of a J-1)
- ◆ H-1B (Temporary Worker in a Specialty Occupation)
- ◆ TN (Treaty NAFTA)

IC Supplement (D)

H-1B non-immigrant visa process

- ◆ Definition of H-1B : Specialty occupation
- ◆ H-1B Criteria : Bachelor's degree or higher in a specific field
- ◆ Period of authorization : Six Years maximum (three year increments)
- ◆ Return transportation : If employer terminates prior to end of period
- ◆ Specific terms of employment : Only authorized for employer/terms on petition
- ◆ Procedures: All H-1B visa applications, amendments, and extensions require three steps. The preparation of the petition(s) and processing time may take two weeks to six months (from the date the H-1B is initiated by the employer until the petition is approved by USCIS).

STEP 1: Prevailing Wage – State Workforce Agency (SWA) by state. Minnesota is http://www.deed.state.mn.us/flc/pre_wag2.htm

STEP 2: Department of Labor - Labor Condition Application" (LCA): <http://www.foreignlaborcert.doleta.gov/h-1b.cfm>

STEP 3: I-129 form and supporting documents to USCIS Regional Service Center: See "Forms" at www.uscis.gov Fees include \$320 for I-129, \$500 anti-fraud fee, \$750/\$1500 training fee for non-university type employers, and \$1,000 premium processing fee.

The individual may not begin legal employment until the petition has been approved by USCIS. Note H-1B cap limitations prior to filing cases.

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IC Supplement (E)

Permanent Resident (PR)

Background: “Permanent residence” is a status granted by the U.S. government to citizens of other countries. It allows an individual to remain in the U.S. Permanent residence is not the same as U.S. citizenship, although permanent residents may become eligible to become “naturalized” U.S. citizens after a certain number of years as a permanent resident.

Resources:

- ◆ **Immigration:** www.uscis.gov website: [Click here](#) for information on green cards

<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnnextoid=4f719c7755cb9010VgnVCM10000045f3d6a1RCRD&vgnnextchannel=4f719c7755cb9010VgnVCM10000045f3d6a1RCRD>

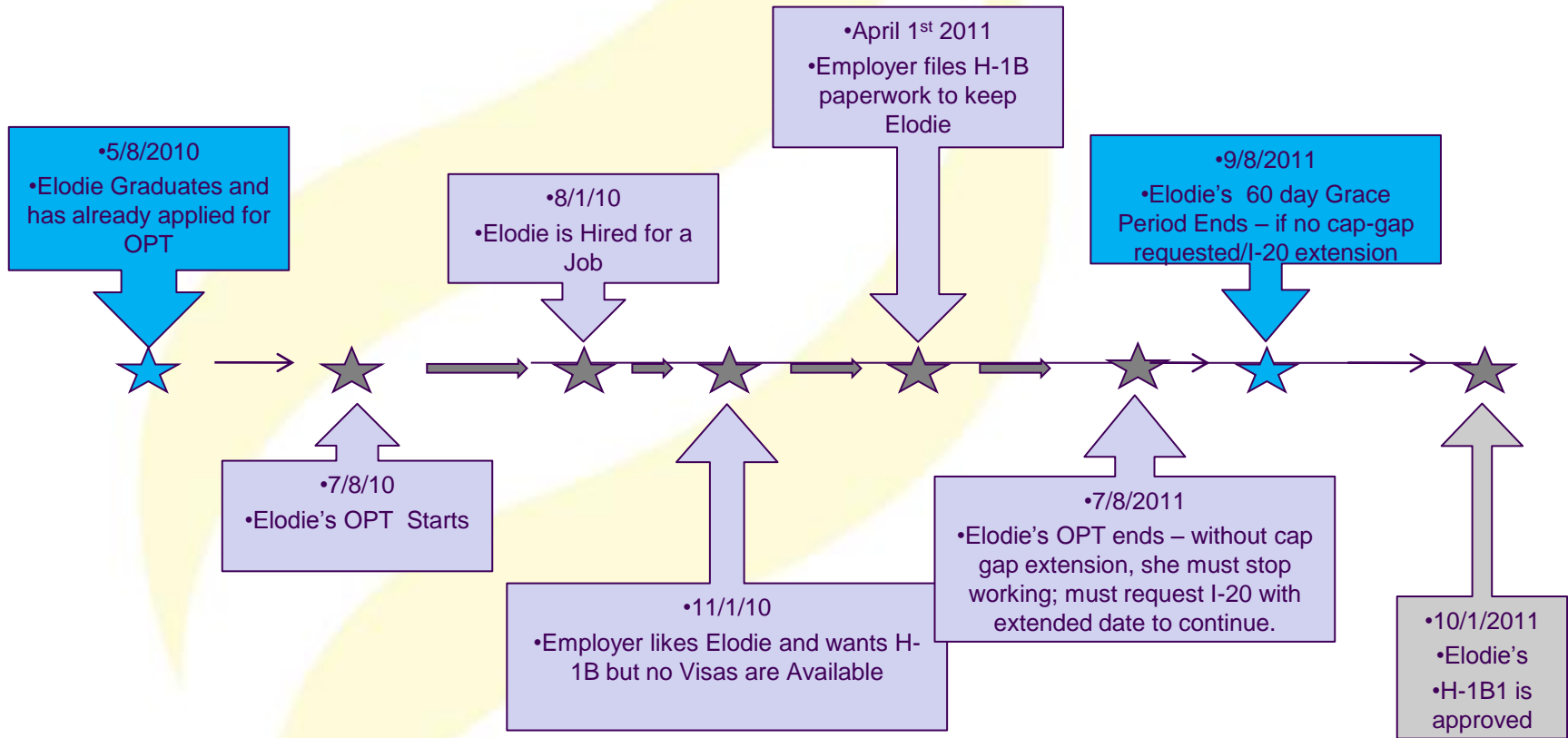
Timelines: egov.uscis.gov/cris/jsps/ptimes.jsp

- ◆ **Department of State:** http://www.travel.state.gov/visa/immigrants/immigrants_1340.html

Timelines: Department of State Visa Bulletin: <http://travel.state.gov/visa/frvi/bulletin/>

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Cap-Gap Scenario Graph



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