

OPT Reporting Requirements & FAQ

When can I apply for OPT?

Under the new rule, a complete OPT application can be received by immigration up to **90 days prior** to your program end date, **and up to 60 days after** your program end date (60 day grace period). If you are not sure of your graduation you can wait until you are sure about graduation and then submit the OPT application to the UAH International Student Advisor.

What is expected of me while authorized for OPT?

- Maintain contact with the International Student Advisors/DSO's for the period of F1 OPT.
- Keep documentation of correspondence with International Advisors. You could be asked to provide this evidence at some point in the future.
- Report changes in employment and personal information to the UAHuntsville DSO.

What are the Reporting requirements while authorized for OPT?

All students authorized for OPT are required to use the Employment Verification form to report the information below to the DSO within 10 days of any changes:

- Any change of name, living address, immigration status
- Any change or loss of employment
- Address of employment

What are limited periods of unemployment and how does unemployment affect F1 status?

During post-completion OPT, F-1 maintenance of status is dependent upon employment. The clock for unemployment begins the effective date of the new OPT law (April 8, 2008).

- While authorized for 12 months of Post-completion OPT you cannot accrue an aggregate of more than 90 days of unemployment.
- Students granted a 17-month OPT extension may not accrue an aggregate of more than 120 days of unemployment during the total 29 month OPT period.

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. Students must be able to provide evidence showing the relationship of the work to their field of study and that they worked an average of at least 20 hours per week. There are two types of eligible employment (not applicable for STEM extension OPT):

Paid employment. Work may be part time or full time although it is expected that the student pursue full time employment while authorized for OPT.

- Single employer. One employer that pays you (even if your physical location of work changes). This includes employment through an agency.
- Multiple employers. More than one employer (receive separate paychecks from each employer).
- Short-term multiple employers. 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 immigration, students must be prepared to provide evidence showing a list of all gigs.
- Contract Employee/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 immigration, 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.

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.

What counts as time unemployed?

Each day during the period when OPT authorization begins and ends that the F1 student does not have qualifying employment counts as a day of unemployment. The only exception is for periods of up to 10 days between the end of one job and the beginning of the next job. This transition time will not be included in the calculation of unemployment time.

How does travel outside the United States impact the period of unemployment?

If the approved period of OPT has started and an F1 travels outside of the United States while unemployed, the time spent outside the United States will count as unemployment against the 90/120-day limits.

If a student travels while employed either during a period of leave authorized by an employer or as part of their employment, the time spent outside the United States will not count as unemployment.

How do you show that employment is directly related to your degree program?

Immigration recommends that students maintain evidence (for each job) of the position held, proof of the duration of that position, the job title, contact information for the student’s supervisor or manager, and a description of the work. If it is not clear from the job description that the work is related to the student’s degree, Immigration highly recommends that the student obtain a signed letter from the employer’s hiring official, supervisor, or manager stating how the student’s degree is related to the work performed.

What should you report to the DSO regarding unemployment?

Students must report changes in employment to their DSOs within 10 business days of the change, similar to current notification requirements.

Below is a chart to help you understand your reporting requirements:

SITUATION	REPORT
New Job	<ul style="list-style-type: none"> • Name of employer • Start date of employment • Mailing address for the employer
Change to a new job	<ul style="list-style-type: none"> • Name of the previous employer • Ending date of the employment with the previous employer • Name of the employer • Start date of employment • Mailing address for the employer
Multiple short-term gigs in one period with less than 10 days between gigs	<ul style="list-style-type: none"> • Report at the beginning of the first gig and indicate “multiple short term gigs”
Contract Employee/Work for hire	<ul style="list-style-type: none"> • Indicate “self-employed work for hire” • Indicate the start date of the contract
Work for hire (ending more than 10 days between the end of one contract and the beginning of another contract or a new job)	<ul style="list-style-type: none"> • Indicate “self-employed work for hire” • Indicate you have no current contract • Ending date of the last contract worked
More than 10 days of unemployment	<ul style="list-style-type: none"> • Indicate “unemployed” • Ending date of last job
Self-employed business owner (start)	<ul style="list-style-type: none"> • Indicate “self-employed business owner” • Indicated date went into business
Self-employed business owner (end)	<ul style="list-style-type: none"> • Indicate “self-employed business owner” • Indicate date business closed or student no longer worked for the business full time
Student decides to exit the United States and complete his or her F-1 status prior to the end date of OPT	<ul style="list-style-type: none"> • Indicate “completing OPT and exiting the United States • Date of exit