Overview
Various immigration statuses allow employment but do not require Georgia Tech sponsorship (see Employment Authorization for a complete list). Global HR has implemented a process to ensure institutional compliance and provide necessary guidance.

Before the employee can begin employment, the Hiring & Hosting Eligibility Determination e-forms must be completed. Global HR provides further guidance after the Hiring and Hosting Eligibility Determination process is complete depending on the visa status. More information on this process can be found in the Hiring a Foreign National Knowledge Article.

OPT/STEM OPT
Optional Practical Training (OPT) is a program that allows F-1 visa holders in the United States to work in their field of study, usually after completing their academic program. F-1 students are eligible for up to 12 months of OPT after completing their degree. Students with STEM degrees (Science, Technology, Engineering, and Mathematics) on the STEM Designated Degree Program list may be eligible for a 24-month extension of their OPT period.

OPT requires authorization from the U.S. Citizenship and Immigration Services (USCIS). Students must apply for OPT and receive an Employment Authorization Document (EAD) before they can begin working. F-1 visa holders on OPT or STEM OPT will be required to provide a valid EAD card to Global HR before they can begin or continue employment.

During OPT, F-1 students must report their employment status to their designated school official (DSO) and comply with certain reporting requirements. They are allowed a limited period of unemployment during OPT.

F-1 visa holders who are applying for or changing employers while on STEM OPT must complete a Form I-983, "Training Plan for STEM OPT Students." The Form I-983 serves as a training plan that outlines the STEM OPT student’s goals, objectives, and activities during their extended OPT period and must be submitted to their DSO to maintain compliance with F-1 regulations.

Global HR has developed a process to facilitate STEM OPT Extensions for eligible Georgia Tech employees. We work with the employee, supervisor, and departmental HR representative to ensure all parties have the information necessary to complete Form I-983, Training Plan for STEM OPT Students. For more information about STEM OPT, please refer to the STEM OPT Hub.
The employee must complete the necessary e-forms in iStart prior to the end of their initial OPT period or within 10 days of changing employers. The e-forms can be found under Foreign National Employees > STEM OPT Extensions for Employees. Upon completion and review of these e-forms, the employee will be given the information needed to complete Form I-765 and a partially completed Form I-983. They will need to obtain additional signatures from departmental HR and their supervisor before submitting it to their DSO.

Terminations in employment for an F-1 OPT or STEM OPT employee must be reported to Global HR before the change occurs. The employing department should complete the Notification of Termination or Resignation e-form in iStart.

Volunteering on OPT: “Volunteering” may be a violation of Department of Labor regulations. While volunteering on OPT is allowed, working in a lab where the F-1 visa holder is doing work that others are being paid for may not meet the definition of volunteering. Please refer to the [DOL Wages and the Fair Labor Standards Act website](https://www.dol.gov/whd/Pubs/faq.html) for more information. If additional guidance or clarification is needed, please contact asklegal@gatech.edu.

CPT
Curricular Practical Training (CPT) is another type of employment authorization for F-1 visa holders in the United States. CPT can be used during a student’s program of study and must be an integral part of the student’s established curriculum or academic program. Students must obtain authorization for CPT from their Designated School Official (DSO) before beginning any employment. The DSO will evaluate whether the proposed employment qualifies as CPT and will issue a new Form I-20 with the CPT authorization. F-1 students are only allowed to work for the duration and employer listed on the I-20. CPT can be full-time or part-time.

If a department intends to hire a non-Georgia Tech student on CPT, they must first complete the Hiring and Hosting Eligibility Determination e-forms.

H-4
In general, H-4 dependents are not eligible for employment. In certain situations, an H-4 dependent may apply for employment authorization provided that the H-1B spouse is in the process of applying for employment-based permanent residence. For additional information on eligibility, [visit the USCIS Employment Authorization for Certain H-4 Dependent Spouses website](https://www.uscis.gov/i-765).

If an H-4 spouse is eligible for employment, they must file a Form I-765 with USCIS and be issued an EAD. H-4 visa holders will be required to provide a valid EAD card to Global HR before they can begin or continue employment.
L-2 and E-2
Prior to 2021, L-2 and E-2 dependents had to apply for employment authorization documents to be employed. Since then, L-2 and E-2 dependents may be employed incident to their status by providing an unexpired I-94 showing L-2S or E-2S nonimmigrant status.

Maintaining Status/Employer Compliance

Automatic Employment Authorization Document Extension
Certain renewal applicants who have filed Form I-765, Application for Employment Authorization, qualify for an automatic extension of their expiring employment authorization and/or EADs while their application is pending.


Extension of Status or New Immigration Status
Employee Responsibilities: When an extension of status or a new immigration status is obtained, the employee must complete the Immigration Document Update e-form in iStart. Upon review, the employee will be advised of further required actions including updating Form I-9 and GLACIER.