

# Hiring or Hosting Foreign Nationals



UNIVERSITY OF  
ARKANSAS™

# Who is a Foreign National?

Who they  
are NOT!

- NOT United States citizen
- NOT permanent resident of the United States (aka “green card” holder)

May also be  
called...

- Non-Resident alien
- Non-immigrant
- Nonresident alien

# How To Identify a Foreign National

Can you go by  
???

- NAME
- LOOK
- ACCENT

Indicators you  
CAN go by

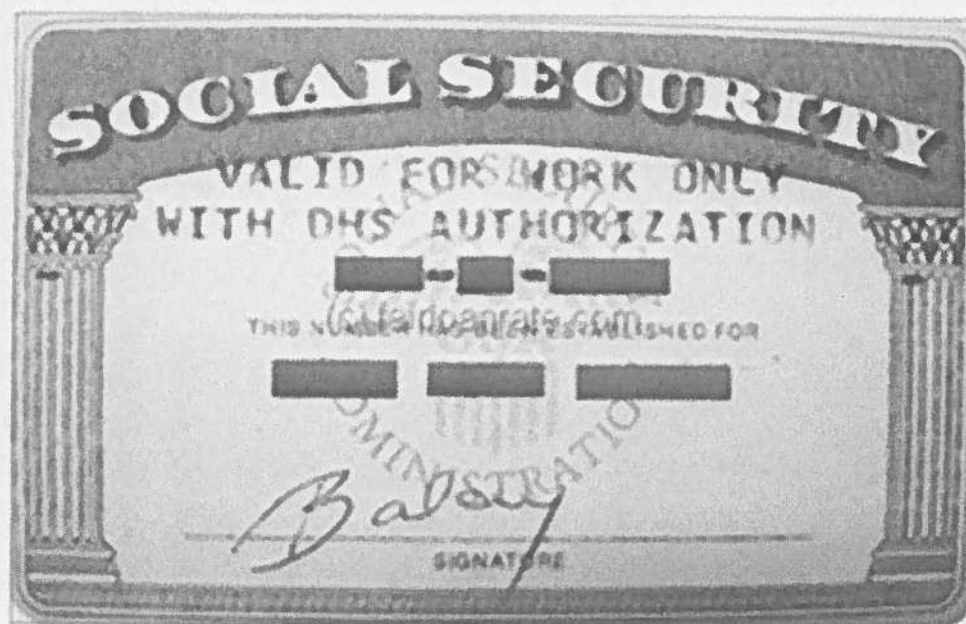
- They tell you they just ARRIVED in the U.S.
- They mark the 2<sup>ND</sup> OR 4<sup>th</sup> box on their I-9
- They DO NOT have a Social Security Card
- They have a Social Security Card with the work restriction clause
- They show you a Passport from another country

## **What does a Social Security Card Look Like for a Foreign National?**

If someone is not a U.S. Citizen or Permanent Resident and they submit to you a Social Security Card, it will ALWAYS have a restrictive clause on the top which says:

**“Valid for Work Only With DHS Authorization”**

## Social Security Card of Non U.S. Citizen



# Hiring Scenarios

- Graduate Assistants
- Hourly Workers
- Faculty
- Staff
- Researchers
- Technicians
- etc., etc., etc.



# International Student Employment

- International students may work in the United States
  - Status determines employment eligibility
    - F-1
    - J-1
    - Additional documentation

# F-1 On-Campus Employment

- Student responsibility for tracking hours
  - Human Resources audits
  - Consequences for exceeding limits
  - Unit pay restrictions



# Scholar Employment

## ➤ Defining “scholar”

➤ J-1

➤ H-1B

➤ TN

➤ O-1

➤ PR

# J-1 Employment

- J-1 Exchange Visitors at UA
  - Short Term Scholar
  - Research Scholar
  - Professor
  - Specialist
  - Student Intern

# H-1B Employment

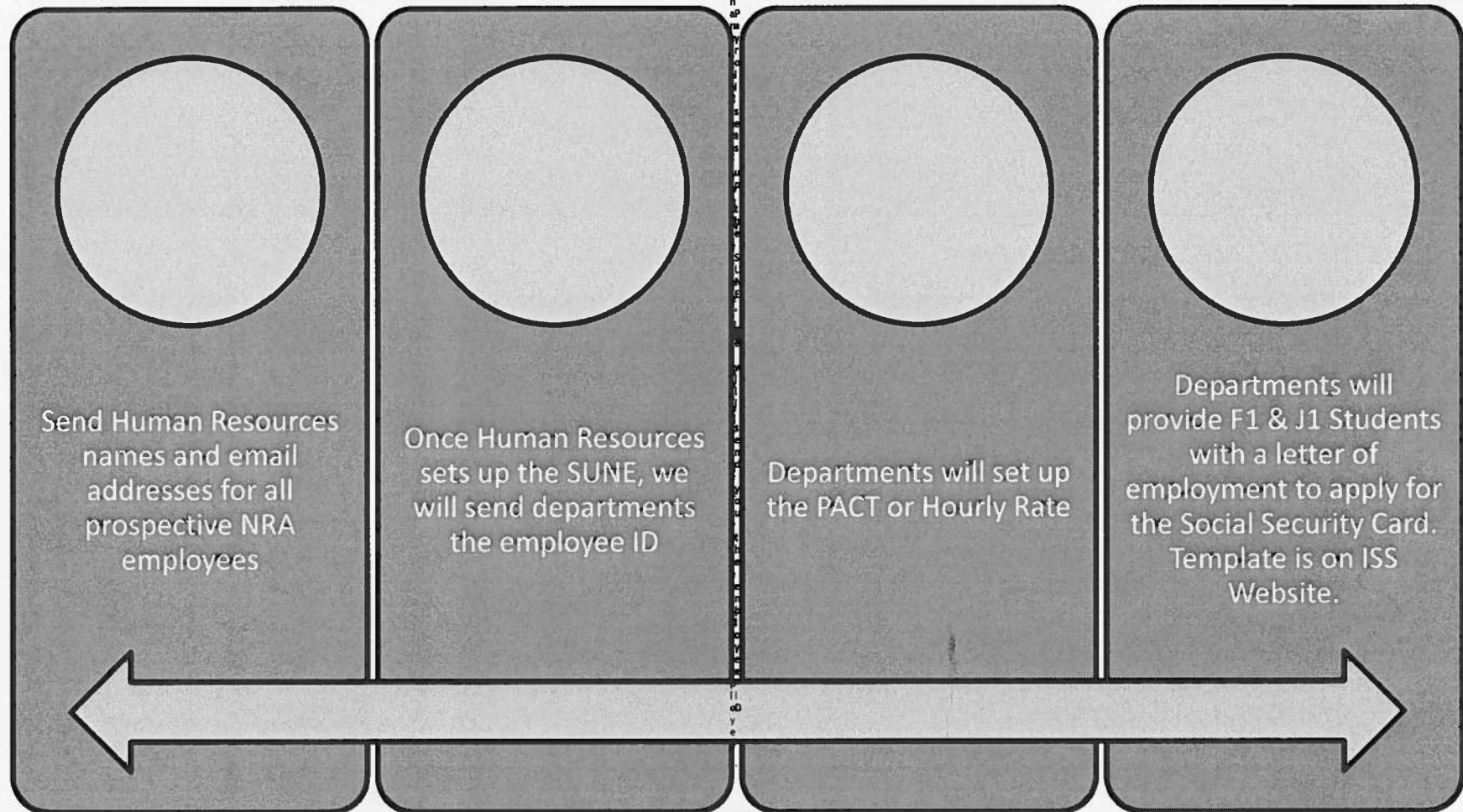
- “Temporary”
- “Specialty occupation”
- Wage requirements
- Return transportation
- Petition fees
- Processing timeline

# Permanent Residence

- AKA “Green Card”
- Permanent position
- Labor Certification required
- Processing timeline



# What Departments Do...






# Some things NOT to do...

Do not send the prospective employee to the Social Security office



Do not have the employee call our office – have department admin e-mail  
Nonresident Coordinator



Do not have employee come to our office without an appointment



Do NOT do the Payroll paperwork (I-9 and W-4 HAVE to be filled out a certain way)

# Other Payments to Foreign Nationals

## Honorariums

- Taxed at 30%

## Prizes/Awards

- Taxed at 30%

## Scholarships

- Tuition & Fees not taxed
- Amount above tuition & fees taxed at 14%

## Other Payments

- Other kinds of work done by ANY person or company is generally taxable at 30%

# **Visitors to Campus or Payment to Students**

- Honorarium paid to Visitors/Must complete GLACIER & Submit Documents
- Awards/Prizes/Other payments paid to U of A Students or Visiting Students: If payment is to one of our students who is on Payroll, paid through Payroll. Not on payroll will be run through ISIS as Nonqualified scholarship/fellowship
- Travel Request for Reimbursement: More than likely it won't be taxed but NOT always

# Who is eligible for payment under honorarium?

- If here in B-2 (“tourist”) or visa waiver status
  - 9-5-6 rule
- If here as an H-1B employee
- If here as a J-1 exchange visitor
- If here in another status
  - Always check first!!!



# What About “Volunteering”?

- Proceed with caution!
  - Must be bona fide volunteer position
  - May not volunteer to “hold” position while OPT, H-1B, etc. is in process
  - Documentation is important



# SCENARIOS

**Here are a few scenarios to see what you  
would do in these situations.**

**??**

Eutopia University is hosting a conference on their campus. They have invited an F-1 student from a neighboring state attending another university. This F-1 student has written a research paper on the topic being discussed at the conference at Eutopia. The department hosting the conference at Eutopia wishes to pay the F-1 student an honorarium in the amount of \$500. They have done a requisition through their Accounts Payable department and the check will be ready when the conference begins. Is this permissible?

A J-1 Scholar has been hired by HSN Department at Eutopia University. The J-1 Scholar has her spouse with her who has a Social Security Card and a Driver's License. Can J-1 Scholar's spouse who is here as a J-2 dependent work at the university since he has a social and a driver's license for list B and list C on the I-9?

**Your Department has hired a new F-1 Graduate Assistant. The F-1 GA has brought his wife as an F-2 dependent and the you wish to hire her to perform some grading and pay her Unit Pay. Can your department hire the F-2 dependent and can you pay her by unit pay?**

**The DOGY Department at Eutopia University has invited an H1B Visa holder to speak at the Doggy Training Conference on campus. Will Eutopia University be able to pay this H1B Visa Holder?**





# **QUESTIONS?**

**We are happy to answer!**

# Contact Information

- Human Resources: Shelly Gahagans:  
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  - Student questions/issues:  
Jeremiah Wax
  - Scholar questions/issues: Audra Johnston  
or Michael Freeman

**REMEMBER...**  
**ALWAYS ASK QUESTIONS FIRST!**  
**THANKS FOR COMING 😊**