

# Hiring a Non U.S. Citizen

To Work at the U of A



UNIVERSITY OF  
ARKANSAS™

# How To Identify a Nonresident Alien

Can you go by  
Name?

- You CANNOT go by name, look, accent!

Indicators you  
CAN go by

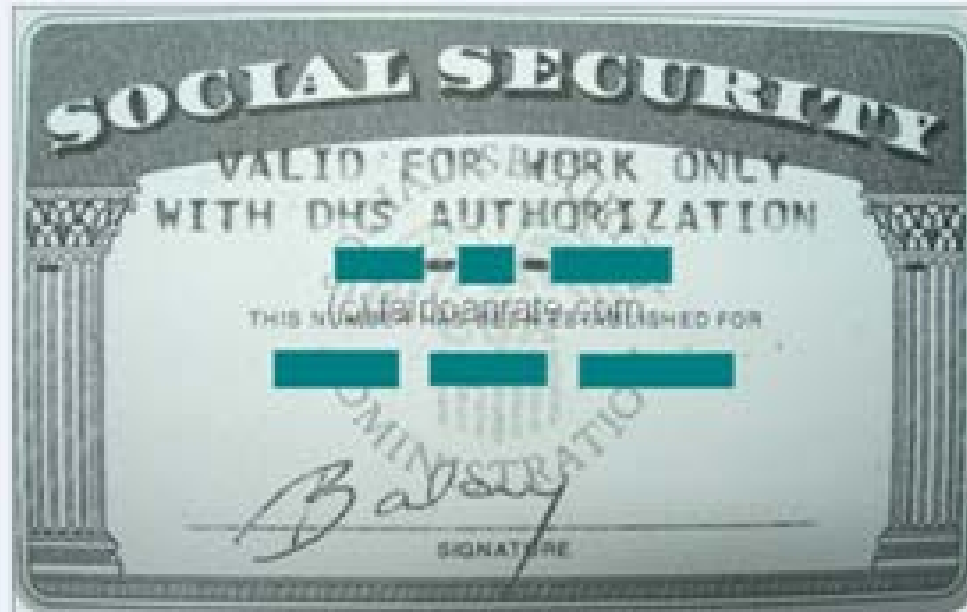
- They tell you they just ARRIVED in the U.S.
- They mark the 4<sup>th</sup> box on their I-9 (An Alien authorized to work...)
- They DO NOT have a SS Card
- They have a SS Card with the work restriction clause
- They show you a Passport from another country

## **What does a SS Card Look Like for a NRA?**

If someone is not a U.S. Citizen or Permanent Resident and they submit to you a SS 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



# International Student Employment

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

# F-1 Student Employment Eligibility

- Majority of UA international student population
  - Dependents (in F-2 status) may not be employed
- Must check in with ISS office upon arrival to campus

# F-1 Student Employment Eligibility

- ISS reports student's arrival to Homeland Security via SEVIS (first week of classes)
- Homeland Security must be updated BEFORE student may obtain SS card
- Student CAN begin working before SS card is received

# F-1 Student Employment Eligibility

- May work on campus or off campus
  - On campus employment is a benefit of F-1 status
  - Off-campus employment requires authorization from ISS and, in some cases, USCIS



# F-1 On-Campus Employment

- Definition and hourly limits
- Only allowed while actively pursuing educational objective/degree program
  - After program completion, must have other work authorization such as OPT
- GA vs. Hourly

# F-1 On-Campus Employment

- Student responsibility for tracking hours
  - Consequences for exceeding limits
- Curricular Practical Training (CPT)
  - Possible option for employment over 20 hours per week during semesters

# F-1 Off-Campus Employment

- Curricular Practical Training (CPT)
- Optional Practical Training (OPT)
  - Purpose and restrictions
  - OPT from UA I-20s vs. I-20s from other universities

# Scholar Employment

- Defining “scholar”
  - J-1
  - H-1B
  - TN
  - PR

# J-1 Employment

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

# J-1 Employment

- Inviting a J-1 scholar
  - Always contact ISS first!
  - May be employed by UA, may not be
  - J-2 dependents may apply for employment authorization from USCIS
  - Processing timeline

# 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



## Do Department Administrative Assistants set up Non U.S. Citizens in Payroll?

Shelly will do all HR/Payroll paperwork

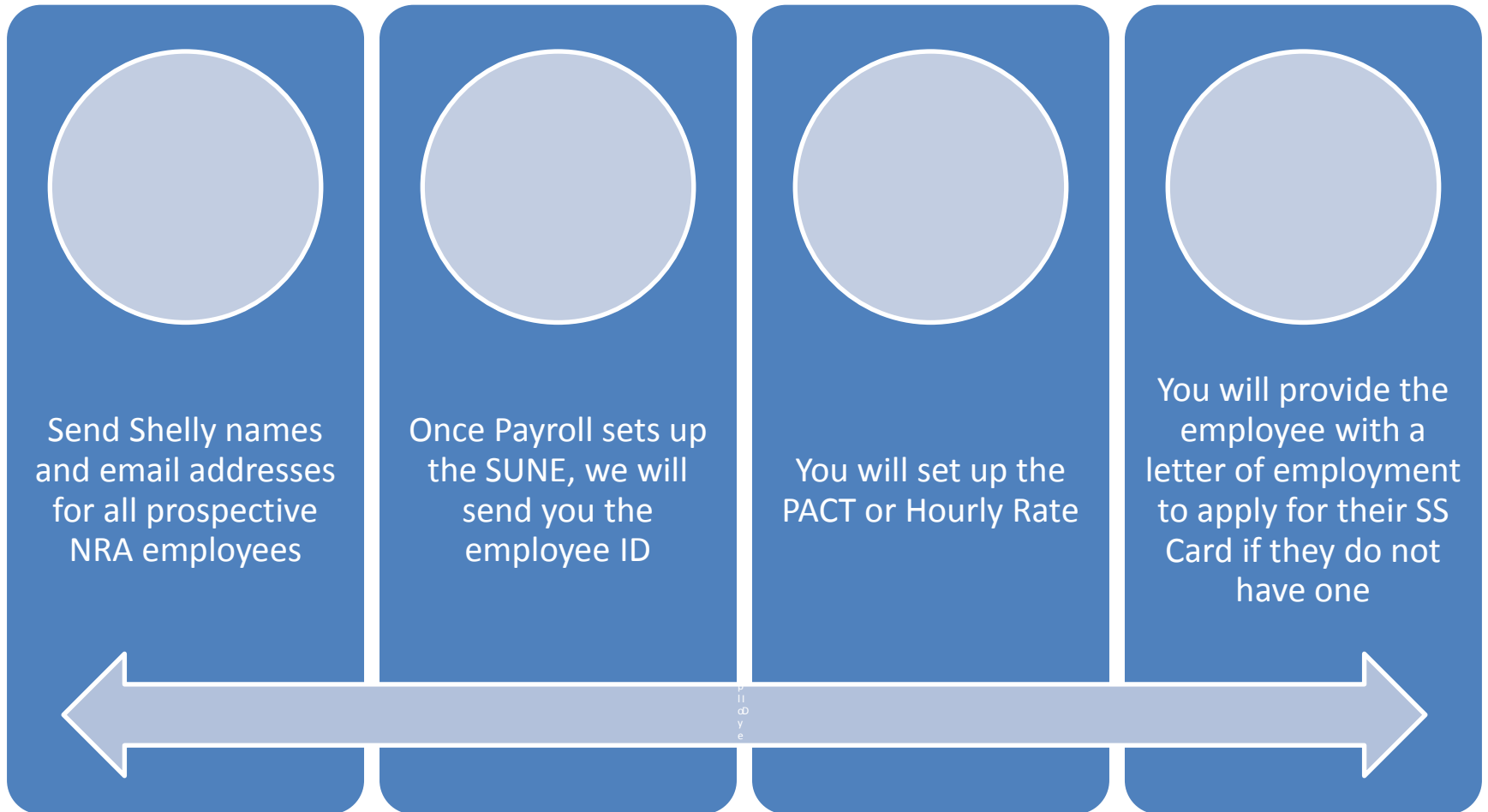
I-9, Acknowledgement of Policies, Direct Deposit, Personnel Data Form

Payroll will set up the SUNE

Payroll will do the E-Verify after we have their SS Card

Shelly will tell the prospective employee how to apply for the SS card

# What Departments Do...



# WHAT TO INCLUDE IN LETTER TO APPLY FOR SS CARD...

- Specific Start Date
- Position Title
- Department they will be working for
- Hours per week
- Supervisor's name
- Brief description of duties
- The letter **MUST** be printed on letterhead and **MUST** have an original signature

# What Shelly does after receiving their name and email address...Summary

Send prospective employee email and link to GLACIER

Once employee has GLACIER set up and has all documents, they email Shelly and set up an appointment

Shelly will meet with employee to check documents and have them fill out payroll packet

We will set up the SUNE and email you and other key people with the employee ID. You will set up the wage rate

We will do the E-Verify once we have a social security number for them

We will issue a placeholder number until the actual SS card comes in

I-9 must be signed within 3 days of employment

# Some things NOT to do...

Do not send the prospective employee to the SS office



Do not have them call Shelly – have dept. admin e-mail Shelly



Do not have them come to Shelly's office without an appointment



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

# Group Meetings!!!!!!

- If your department is hiring several Nonresidents, we would welcome setting up a group meeting within your department
- Send Shelly a list of the names and emails, as always
- We would set up a date, time and place where we will come to you
- We need access to a computer/printer, copier, and location where several can sit and fill out forms

# Other Payments to Non U.S. Citizens

## 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 taxable at 30%

# Visitors to Campus or Payment to Students

- Honorarium paid to Visitors/Must complete GLACIER & Submit Documents
- Awards/Prizes 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 paid through AP
- Travel Request for Reimbursement: More than likely it won't be taxed but NOT always



# 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

