

Optional Practical Training (OPT)

Frequently Asked Questions

When can I apply for OPT?

Students can apply for OPT between 90 days before the end date of their program and within 60 days after the end date of their program, but not later than that.

Do I have to have an employment offer letter at the time of applying for OPT?

Students do not have to have an offer of employment at the time of applying for OPT.

How do I choose the start date for OPT?

You will request a specific date on which your OPT authorized employment should start. The requested start date can be any date between your academic program completion date and within 60 days after that date.

How long will the application approval process at USCIS take?

Processing time at the USCIS is highly variable and difficult to predict. It can take up to 4-4,5 months.

I have a job offer but my EAD card has not arrived yet. Can I begin work?

NO – working before OPT has been authorized by the USCIS constitutes illegal employment that will jeopardize your legal status in the US.

When can I start work?

On the start date of your approved EAD card – wait for the card to arrive to check the start date.

Can I travel while my OPT application is pending at USCIS?

Those F-1 students whose OPT application is "PENDING" may re-enter the US (as long as visa restrictions do not apply) in order to search for employment. This means that the student will need to have: a valid passport, a valid F-1 visa, an endorsed/updated SEVIS I-20, as well as the I-765 Receipt Notice from USCIS before traveling to and from the US. **However, to avoid any complications, LIM recommends students to reconsider traveling under these circumstances. Travelling under these circumstances should be undertaken at the student's own risk.**

Can I travel when my OPT is approved?

Those F-1 students whose OPT application has been "APPROVED" may only reenter the US (as long as visa restrictions do not apply) to RESUME EMPLOYMENT. This means that a student will need to have: an endorsed/updated SEVIS I-20, an EAD card, PROOF OF A JOB OR JOB OFFER RECEIVED BEFORE DEPARTING THE US, VALID PASSPORT and VALID F-1 VISA. **The best general guidance is that a student who has both an EAD for post-completion OPT and a job or job offer should not experience difficulty reentering the United States. If either of these two conditions is missing, then the student is assuming risk.**

What counts as employment on OPT?

Employment must be directly related to the student's degree program. It is the student's responsibility to prove the relationship between the job and a student's field of study if requested by the U.S government. Furthermore, employment on OPT must be at least 20 hours or more per week.

What are the types of acceptable employment on OPT?

Acceptable Types of Employment (per SEVP OPT Policy Guidance [7.2.1])

- Regular paid employment • Payment by multiple short-term multiple employers • Work for hire
- Self-employed business owner • Employment through an agency • Unpaid interns and volunteers (students may work as volunteers or unpaid interns, where this practice does not violate any labor laws).

Do I need to keep proof of my employment on OPT?

Yes – you are strongly encouraged to keep documented proof of each employment you engage in while on OPT that will contain information on the position held, duration of that position, the job title, contact information for the student’s supervisor or manager, and a description of the work.

What is the 90-day unemployment rule?

Students on post-completion OPT may have **up to 90 days** of unemployment. The 90 days starts counting from your **approved** OPT/EAD start date (not the recommended start date nor the program end date on your I-20) and is **cumulative**. If you accumulate 90 days or more of unemployment, you are in violation of your F-1 status. You are expected to leave the U.S., transfer to another school or change your visa status **before the 90th day**.

Does the approved vacation granted by my employer count toward the 90-day unemployment rule?

Approved vacation from a job does not count as "unemployment" if you are still considered an employee there.

Where do I report my employment?

After your OPT is approved, on the start date of your OPT, you will receive an email from SEVP’s email: do-not-reply.sevp@ice.dhs.gov with instructions on how to create SEVP OPT Portal Account. The portal is a new tool that F-1 students on OPT must use to report changes to their address, telephone number and employer information.

Where do I report my new address while on OPT?

On the SEVP OPT portal.

If you need to change your address before OPT is approved, please contact iss@limcollege.edu for assistance.

Do I have to report my employment and address?

Yes – by law, you are required to report changes in your employment and address **within 10 days of a change**.

Do I need to pay taxes while on OPT?

While on OPT, you are subject to all applicable federal, state and local taxes and must file a tax report.

What are my options after OPT ends?

If you maintained status while on OPT, you are allowed a 60-day grace period following your OPT expiration date to leave the U.S., change your status, or transfer your F-1 to a new school or program. In some cases, you may want to pursue these options before the end of your OPT.

H-1B Questions?

LIM College ISS office staff is not able to provide you with legal advice about H-1B sponsorship. Students who are interested to find out more about applying for H-1B, should consult with an experienced immigration attorney and visit the following websites for more information: <https://www.uscis.gov/eir/visa-guide/h-1b-specialty-occupation/h-1b-visa> ; <https://studyinthestates.dhs.gov/h-1b-status> ; <http://www.myvisajobs.com/Reports/> .

Please note that LIM College students are eligible to apply for H-1B only through the regular lottery.

LIM College does not endorse any of the above websites.