

# An Employers' Guide to Hiring International Hotel School Students

- Minimal paperwork required to hire an international student
- Employment authorization possible for up to seven years without requirement to recruit U.S. workers
- Talented multicultural & multilingual employees
- Assistance in verifying employment eligibility
- No INS requirement to recruit U.S. workers

The International Student and Scholars Office will discuss these laws and regulations with you. They can review the specific legal status of an international student who has applied for a position in your organization, if the student has requested and given permission for such a discussion.

For more information visit:

International Students and Scholars Office  
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Ithaca, NY 14853-1601  
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[www.isso.cornell.edu/](http://www.isso.cornell.edu/)

*Information in this brochure has been adapted from publications of the International Students and Scholars Office.*

The Hotel School enrolls over 130 international students on temporary visas in the Bachelor of Science and Masters of Management in Hospitality programs. These students are not U.S. citizens or US permanent residents (“green card holders”), but their Cornell education combined with their multicultural and/or multilingual skills make them a potential special asset to U.S. employers.

This brochure is designed to clarify the legal obligations of both the employer and the international job applicant and to encourage you, as a prospective employer, to include these talented graduates in your human resources development plan.



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## **“Practical Training” Employment after Graduation:**

International students generally hold the F-1 (foreign student) visa. A few hold the J-1 (exchange visitor student) visa. In both cases, the Immigration and Naturalization Service (INS) permits employers to hire students who have completed their course of study in a status called "practical training." The INS defines practical training as *employment related to the student's course of study*. Eligible students need not change their visa status to accept this type of employment.

### **• Time Limits for Practical Training**

F-1 students may work for up to twelve months as practical trainees. J-1 students may work for up to eighteen months as practical trainees.\*

### **• Little Paperwork for the Employer**

All paperwork is handled by the student and Cornell's International Students and Scholars Office or the J-1 student's program sponsor. In some cases a brief letter offering employment is required.

*\* Some J-1 students have a "two-year home country residence" requirement and are prohibited from continuing beyond practical training employment on the H-1B visa unless the requirement is waived.*

## **Long-Term Employment: Changing to a Different Visa**

Federal regulations require that employment terminate at the conclusion of the training period. However, in most cases, the Cornell international student may continue to be employed, provided that a change to another visa type is approved by the immigration service.

### **TN Visas: Professionals Under NAFTA Who Qualifies for a “TN” Visa?**

The category "Professionals Under the North American Free Trade Agreement" is available only to citizens of Mexico and Canada. Under the North American Free Trade Agreement (NAFTA) a citizen of a NAFTA country may work in a professional occupation in another NAFTA country provided that 1) the profession is on the NAFTA list, 2) the alien possesses the specific criteria for that profession, 3) the prospective position requires someone in that professional capacity and 4) the alien is going to work for a U.S. employer.

Canadian citizens are not required to obtain a visa, but instead receive "TN" status with the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (BCIS) at the port of entry. The "TN" status will only be granted if the period of stay is temporary, however, applications for extension of temporary stay can be made.

## **Temporary Worker (H-1B) Visa**

Application for the H-1B, or Temporary Worker, visa is made by the employer through the Department of Labor and Immigration and Naturalization Service (INS). An H-1B may be continued for up to six years. It is intended for "professional" employment. There is no requirement that U.S. workers be recruited or preferred for H-1B positions. These applications should be prepared with careful attention to the documents required for submission with the completed forms. The entire process can take up to 3 or 4 months; legal advice may accelerate the application process.

## **A Note about the “Green Card” or Immigrant Visa Status**

Attention has been drawn to non-immigrant visa options above because (1) they often represent a satisfactory alternative to the so-called "green card" or immigrant visa/permanent resident status, and (2) much less time, expense, and paperwork is involved than in obtaining the green card.

International students seeking opportunities for post-graduate career employment in this country may intend to return to their home countries, after having established themselves professionally over a period of years, and are therefore suitable candidates for employment in a non-immigrant visa status. In such cases, efforts to secure the green card are neither necessary nor appropriate.