

HIRING INTERNATIONAL EMPLOYEES AND SCHOLARS

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An aerial photograph of a university campus during autumn. The scene is filled with trees in shades of green and yellow. Several large, multi-story university buildings are visible, some with flat roofs. In the lower right, there is a circular plaza with a flagpole flying the American flag. The entire image is overlaid with a semi-transparent yellow rectangle that contains the text.

International Student Employment

Current students may work ON CAMPUS up to 20 hours per week

- Paycheck must come from UW
- Full-time GA assignment is considered 20 hours
- May work more than 20 hours over official breaks such as winter break, spring break, summer vacation

CPT allows students to work more than 20 hours per week and/or off-campus

- Must have a curricular component / be related to degree
- Purpose is for education, NOT employment
- Students must be registered for a related class
- Must be term based

Optional Practical Training

OPT allows for continued training in the field after program completion

- Every student is eligible for one year of Post-Completion OPT; students in STEM majors may apply for an additional two year extension
- Must be related to degree
- No registration requirements, may be employed anywhere in the US

An aerial photograph of the University of Wisconsin campus, showing various buildings, green spaces, and trees with autumn foliage. A semi-transparent yellow rectangular box is centered over the image, containing the text. In the lower right, a circular plaza with a flagpole is visible.

Bringing a J1 Exchange Visitor to UW

Purpose of the J1 Exchange Visitor Program:

- Foster the exchange of ideas between Americans and foreign nationals
- Stimulate international collaborative teaching, lecturing and research efforts
- Promote the exchange of ideas, research, mutual enrichment, and linkages between research and educational institutions in the United States and foreign countries

By providing foreign professors and research scholars opportunity to:

- Engage in research, teaching and lecturing with their American colleagues
- Participate actively in cross-cultural activities with Americans
- Share with their countrymen their experiences and increased knowledge of the United States and their substantive fields

UW Sponsoring Department Requirements

- Screen and select qualified foreign nationals to further education, research and exchange initiatives;
- Monitor the visitor's stay in the United States, ensure that they are progressing in the work being performed or the research being conducted;
- Ensure that they are involved in cross-cultural programs where they can learn about the United States and its people; and
- Report updates and emergencies to ISS during program

Additional Notes About J1 Exchange Visitors

- Can be paid or unpaid by UW - must show proof of funding if not paid by UW
- Cannot be hired in a tenure track position
- Maximum length of stay in the US determined by J category – 6 months to 5 years
- May impact ability to remain in, or return to, the US in the immediate future

Department Requirements & J1 Notes

Short-Term Scholar

Professors, research scholars and other individuals with similar education or accomplishments travel to the United States on a short-term visit for to lecture, observe, consult, train or demonstrate special skills at research institutions, museums, libraries, post-secondary accredited academic institutions or similar types of institutions. Must be a professor or research scholar or someone with similar education and or experience in their country of residence. Duration: 3 weeks to 6 months

Professor

The exchange of professors promotes the exchange of ideas, research, mutual enrichment and linkages between research and academic institutions in the United States and foreign countries. The professor category is for a foreign national who enters the United State for the primary purpose of teaching, lecturing, observing or consulting at accredited post-secondary academic institutions, museums, libraries or similar types of institutions. A professor may also conduct research, unless disallowed by the sponsoring organization. Duration: Up to 5 years

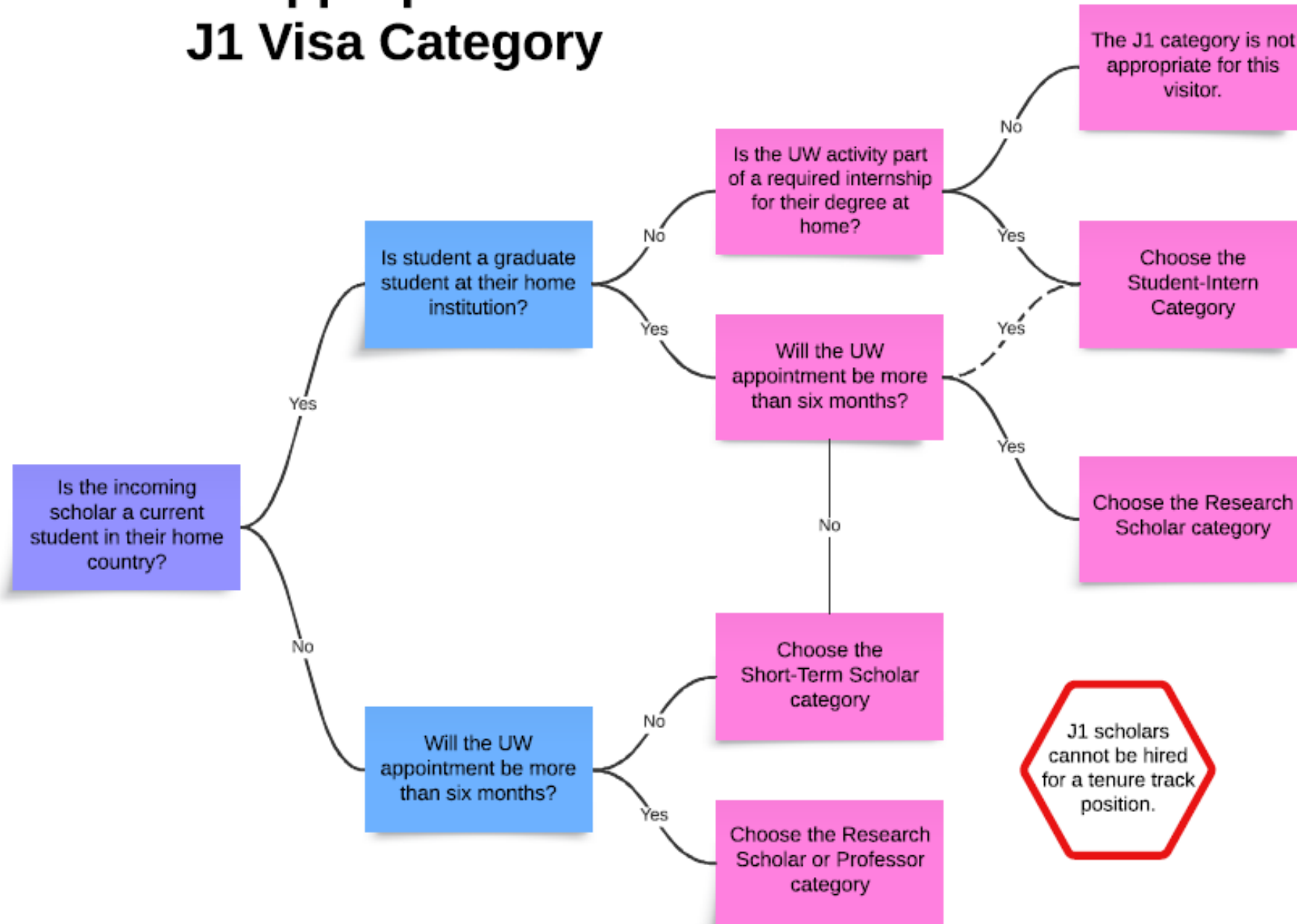
Research Scholar

This category is for a foreign national who enters the United States for the primary purpose of conducting research, observing or consulting in connection with research projects at research institutions, corporate research facilities, museums, libraries, post-secondary accredited academic institutions, or similar types of institutions. A research scholar may also teach or lecture, unless disallowed by the sponsor. Duration: Up to 5 years

Student Intern*

The Student Intern Program allows foreign nationals enrolled in and pursuing a degree at an accredited post-secondary academic institution outside the United States an opportunity to participate in an internship program in the United States that will fulfill the educational objectives for his or her current degree program at his or her home institution. Duration: 3 weeks to 12 months
*Additional documents required for DS-2019 issuance, and progress reports to ISS during internship.

Choose the Appropriate J1 Visa Category



Requesting the Form DS-2019 from ISS

1. Review the Exchange Visitor information to determine the appropriate J visa category. Other visa options may be more appropriate such as the H1B visa for employment (contact UW HR for info);
2. Determine the UW appointment dates. Due to visa processing delays at many US consulates the intended Exchange Visitor and/or sponsoring faculty should check the visa wait times at the consulate and plan the UW appointment start date accordingly. ISS requests at least one week to review submitted requests, but processing might be delayed during busy times of the semester.
3. Complete the “J-1 Exchange Visitor Sponsoring Department Information” and “Campus Notification of Intended J-1 Exchange Visitor Appointment” forms, including collecting all required signatures;
4. Have the potential Exchange Visitor complete the “J-1 Exchange Visitor Information” form and return it to you, along with additional documents: copy of passport for visitor and all dependents who will accompany them to the US, documents for previous J visa stays in the US if applicable; proof of English proficiency, proof of funding if not UW. See below for information about these documents;
5. Submit all forms and documents to ISS via the online J1 Exchange Visitor Sponsor Request survey;
6. ISS will review the forms and documents, contact the sponsoring faculty for any questions, and issue the immigration Form DS-2019. The Form DS-2019 will be emailed to the exchange visitor and faculty. Email will include next steps for the exchange visitor to take to apply for visa, prepare for travel to the US, and how to officially check-in with ISS upon arrival to the US.

Sponsoring faculty must collect and submit online with the information forms:

- English Proficiency – “Sufficient proficiency in the English language, as determined by an objective measurement of English Language proficiency, successfully to participate in his or her program and to function on a day-to-day basis”
 - TOEFL 525 or 71 iBT; IELTS 6.0; CET6 430; DuoLingo 100
 - English3 J-1 Interview minimum score of 3 (scores directly to ISS)
 - Completion of an ESL program or a degree from a university where instruction is completely in English
- Proof of Financial Support – \$1500/month for duration of appointment time requested, plus \$500/mo for first dependent and \$325/mo for each additional dependent
- Clear Scan of Passport(s) – for scholar and all dependents
- Documents and Information for Previous J Visa Stays in the US – to determine eligibility for participate in a J1 appointment at UW

Additional Documents Required for DS-2019

QUESTIONS



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H-1B Visa Program & US Immigration Process

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Introduction to the H-1B Visa Program

What is the H-1B; Why is it important for the US economy?

- Non-immigrant visa allowing UW employers to **temporarily** employ foreign workers in specialty occupations
- A “specialty occupation” generally requires a bachelor’s degree or higher in a specific field, such as IT, engineering, medicine, finance, and more.
- The program helps fill critical skill shortages in the US workforce.

Eligibility Requirements for the H-1B Visa

- Employer must have a job that meets “specialty occupation” criteria and pay prevailing wage for the job role.

H-1B Visa Process

Prevailing Wage Requirements

- What is prevailing wage?
- How is it determined?

Prevailing wage is the minimum salary an H-1B employer must pay their foreign worker, based on the job and geographic location.



Cap-Exempt H-1B Visas

What does “cap-exempt” mean, and how does it apply to UW?

- The cap-exempt H-1B visa allows certain employers to hire foreign workers on an H-1B visa without being subject to the annual cap (or limit) to these types of hires.
- UW may file any time during the year, with no waiting periods or lottery.

Presidential Proclamation and Impact

September 2025 Presidential Proclamation

New H-1B's outside of the country will require a \$100,000 fee for entry

1. Following INA 212(f), the President may restrict entry into the US
2. Proclamation is valid for 12 months but is subject to extension following the next H-1B lottery.
3. Does not impact H-1B petitions filed before 9/21

University of Wyoming H-1B Resource Page: <https://www.uwyo.edu/hr/talent-acquisition/h-1binformation.html>

H-1B Visa Process

Key Takeaways

- Steps for petition
- Application timeline
- Cost for department
- *Request for Evidence
- Obtaining a visa
- *Administrative processing
- Employing a foreign national



Questions?



Permanent Residence

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What is Permanent Residence?

- “Green card”, lawful permanent residents (LPR)
- Live and work permanently in the U.S.
- Own property, receive financial assistance at public colleges and universities, and join the Armed Forces
- May apply for citizenship after a period of time



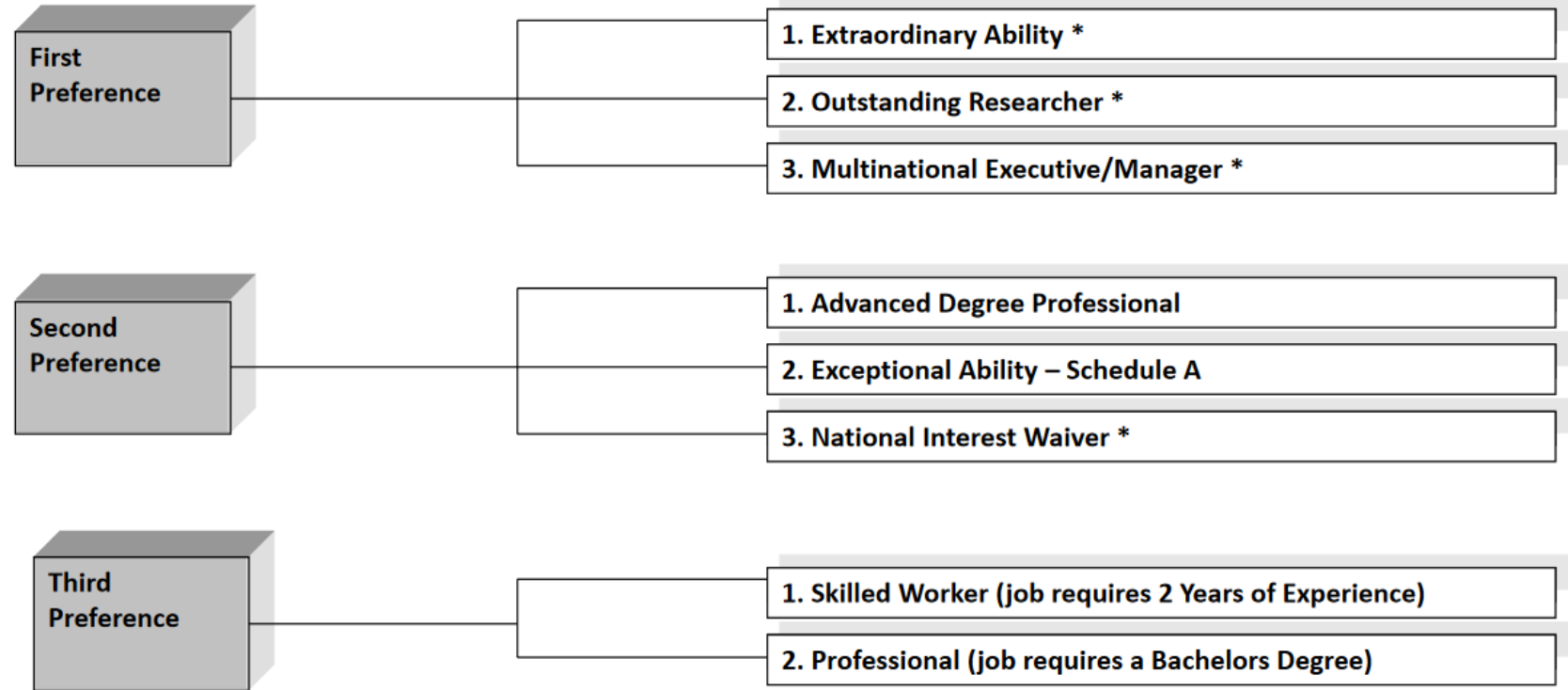
Pathways to Becoming a Permanent Resident

- Family-based
- Employment-based
- Humanitarian
- Diversity
- Employment-based
- Other



Employment- Based Preference Categories

*No Labor Certification Required



Other Types of Visas

- O-1: Individuals with Extraordinary Ability or Achievement
- TN: NAFTA Professionals (Canadian or Mexican citizens)
- E-3: Specialty Occupation Workers from Australia

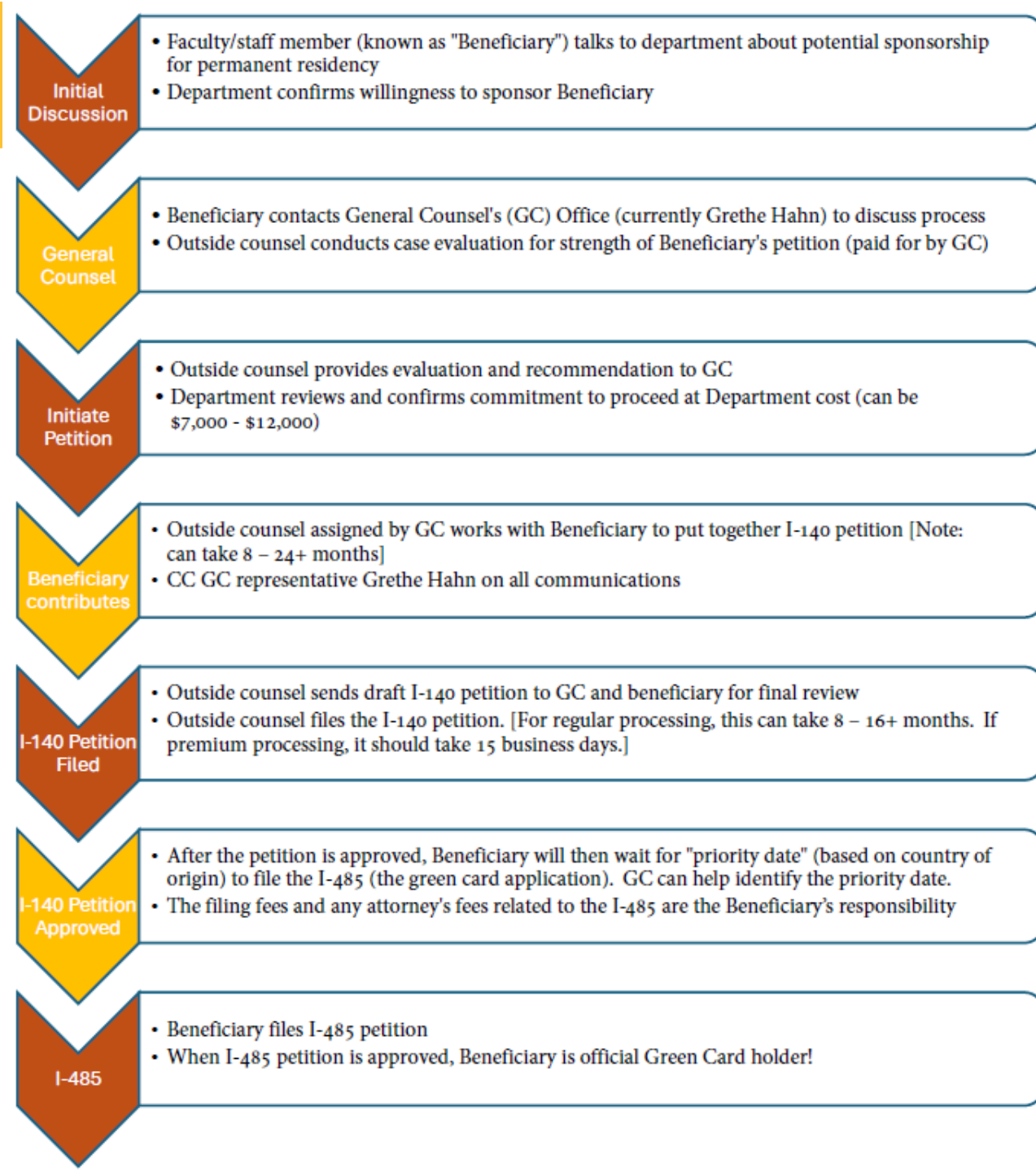
Considerations for Permanent Residency

- Eligibility
- Timing
- Costs



Green Card Process

- UW SAPP 5-5.5:
 - Department pays for I-140
 - Beneficiary pays for I-485
 - Premium Processing Discretionary



Questions?

