Pre/Post-Completion Optional Practical Training (OPT) Workshop

I. BEFORE YOU APPLY

OPT Overview & Eligibility

What is Optional Practical Training (OPT)?
- Temporary employment authorization for F-1 students to gain experience in jobs directly related to your major area of study. A total of 12 months of OPT are available per education level (e.g. Bachelor’s, Master’s, Doctorate)

Quick Overview
- You do not need a job offer to apply for OPT
- You may not pursue a new course of study (degree program) while on OPT.
- The application is approved by United States Customs & Immigration Service (USCIS), not OIA. USCIS processing time is on average three months (90 days).
- Unemployment: During the 12-month period of post-completion OPT, you can have up to 90 days of unemployment. The STEM OPT extension allows 120 days of unemployment (during the 29 months)

Types of Employment
- Multiple employers: You may work for more than one employer, but all jobs must be related to your field.
- Short-term multiple employers (performing artists): You’re allowed to have multiple short term jobs or gigs (e.g. music performances). Keep a list of all gigs, the employer, and duration of each for your records.
- Work for hire: Commonly referred to as 1099 or Independent Contractor Employment; keep evidence of the duration of contract periods and the name and address of the contracting company.
- Self-employed business owner: You can start a business or be self-employed while on OPT. You should be able to prove that you have the proper business licenses and that it is related to your degree program.
- Employment through an agency or consulting firm is also allowed.
- Unpaid Employment: You may work as a volunteer or unpaid intern, where this practice does not violate any labor laws.

II. APPLICATION

Application Timeline: When should you apply?
Pre-Completion OPT: Apply 90 days before your requested job start date.

Post-Completion OPT Timing Chart

90 Days before end date

60 Days after end-date:

My I-20 End date is__________________
OPT Start Date can be between _____________ and _____________.
USCIS will accept Post-Completion OPT applications between ___________ and ______________
STEP 1: OIA Recommendation
Submit the following three documents to OIA (in person or via online submission form). Allow one week for processing; no appointment needed.
   A. OIA Request Form
   B. Verification of Completion Form (for post-completion OPT applications only)
   C. Form I-765, “Application for Employment Authorization”.

NOTE: All forms and detailed instructions are available on the website: http://internationalaffairs.uchicago.edu/opt

STEP 2: USCIS Application Procedures
Mail the following documents to USCIS:
   1. Form I-765 with fee and photographs in an envelope stapled to it (see items #2 and #3 below).
   2. Two new color passport style photos. Available at the ID & Privileges Office in Regenstein. Write your name with a pencil on the back of the photos and put them in a small plastic bag or envelope and staple it to the top of Form I-765. Your photos must be recent and must not have been used in any previous application.
   3. Payment: A check or money order for the filing fee of $410 payable to "Department of Homeland Security."
   4. Copy of I-20 (the one with the OPT recommendation on it), all pages. DO NOT SEND ORIGINAL! The OIA signature must be fewer than 30 days old at the time the application is received by USCIS.
   5. Copy of I-94 Departure Record Card, front and back or the electronic I-94 receipt (http://www.cbp.gov/I94)
   6. Screen shots from SEVIS of OPT and CPT use (you will get this from OIA with your new I-20).
   7. Copies (front and back) of all previous EAD(s) issued to you for OPT.
   8. Copies (front and back) of all I-20s from any previous U.S. institution before the University of Chicago.
   9. Copy of the identity page(s) of your passport. This includes the page that has your photograph and biographical information.
   10. Form G-1145, "E-Notification of Application/Acceptance," if you want to be notified electronically when your application is received. See http://www.uscis.gov/files/form/g-1145.pdf for form and filing instructions.

***Make a copy of your entire application before mailing it; keep it with your mailing receipt.***

STEP 3: Mail Your Application to USCIS
Mail complete application using secure mail with delivery confirmation/tracking, such as U.S. Postal Service Certified mail. If your Form I-765 has an Illinois address, mail to:

USCIS
PO Box 21281
Phoenix, AZ 85036

If your mailing address on the Form I-765 is outside of Illinois, consult the OIA OPT website (link above).

TIMING: USCIS must receive your application no later than 60 days after I-20 end date and no more than 30 days after OIA recommendation.
III. AFTER YOU APPLY

Tracking Your Application

- If you filed Form G-1145, you will receive an email or text from USCIS with confirmation that your application was received and a receipt number.
- If you paid the $410 fee with a personal check, monitor your bank account to see when check has been cashed.
- Within a month of mailing your application you will receive a Receipt Notice (I-797) from USCIS. Using your Receipt Number (upper left-hand side) you can check the status of your application on the USCIS Case Status Search Page: https://egov.uscis.gov/cris/Dashboard.do
- USCIS will issue an EAD when your application has been approved. The card will state the specific start date and end date for your OPT. You cannot legally begin working until you have the physical card and the start date has been reached.

Contact OIA if:
1) You need to cancel your OPT application
2) You don't graduate as planned
3) You need to update your mailing address on your OPT application

OPT Reporting Requirements

All F-1 students on post-completion OPT are required to report any change in the following information within 10 days through the OPT Update Form on the OIA website: name, address, employer name/address, any interruption of employment or starting a new academic program, and change of status.

Use the OPT Update Form on our website and see reporting information at:
https://internationalaffairs.uchicago.edu/optupdateform

IV. POST-COMPLETION OPT TRAVEL

While OPT is PENDING

Before Program End Date: You can travel normally as an F-1 student. **NOTE:** Contact employer if applying for H-1B.

After Program End Date:
- It is not advisable to travel outside the U.S. prior to receiving your EAD card and securing employment.
- EAD cards will **NOT** be sent overseas, and an EAD card is required for re-entry. Travel through Chicago airports whenever possible.
- You can remain in the U.S. if your F-1 visa has expired. If you will travel in and out of the US while on OPT, you must have a valid F-1 visa.
- If your F-1 visa will expire before you re-enter, you must apply for a new visa at a U.S. Consulate or Embassy abroad prior to your return.
- After your program end date, you will need proof of employment to show you are returning to the U.S. to resume employment appropriate for OPT.
Once OPT is APPROVED (You Have the EAD)
In addition to your regular travel documents (valid passport, valid F-1 visa, I-20 with OPT recommendation, and travel signature less than 6 months old), you will also need:

- Valid EAD (your card should say “not valid for travel,” meaning it cannot replace a valid visa)
- Job offer letter or letter of employment verification from your current employer

**NOTE:** Without your EAD and proof of employment/job offer, you assume a risk in re-entering the U.S. while on OPT.

**F-2 Dependents - Travel Outside the U.S.**
In addition to their own Form I-20 – with updated travel signature, passport and valid F-2 visa, F-2 dependents should keep copies of the F-1 documents listed above.

**V: STEM Extension**

- The Stem Extension is a 24-month extension that students in Science, Technology, Engineering, and Mathematics are eligible to apply for (see eligible programs on link below).
- STEM must occur after regular post-completion OPT; application must be filed before OPT expires
- Employers must be E-Verify

More information & Application Instructions for the STEM Extension: [https://internationalaffairs.uchicago.edu/stem](https://internationalaffairs.uchicago.edu/stem)

**VI. OPT and H-1B**

**H-1B Cap**

- H-1B Cap (for ‘new’ H-1Bs): There are a limited number of new H-1B statuses available each year.
  - 65,000 H-1Bs for people with a B.A.; an additional 20,000 H-1Bs for people with a Master’s or higher level degree
  - Submit petition on April 1 for an October 1 start date
- The limited number does not apply to universities or non-profit research organizations. These entities can submit H-1B petitions anytime of the year for any start date without limit.
- Other work visa options include: E-3 (Australia), TN (Canada & Mexico), & H-1B1 (Chile & Singapore)

**H-1B “Cap Gap”**
If you are on OPT with a pending H-1B Change of Status petition (not consular processing) with a company that is subject to the H-1B cap, your OPT will be automatically extended to either the H-1B employment start date (October 1), or the H-1B petition denial date, whichever comes first.

- Students must contact OIA to receive a new I-20 that confirms Cap Gap employment authorization
- If your **H-1B petition is denied**, your OPT work extension will immediately be terminated. You will have 60 days (from notification of denial) to depart the U.S.

**H-1B CAP GAP Timing Example for Change of Status Petitions**

[Diagram: OPT Ends (June 20) → CAP GAP EXTENSION → Employer files H-1B (April 1) → H-1B Status Begins (October 1)]