OISS Training for Department Administrators

March 17th 2016

OISS Advisors and Staff
Agenda

- Introductions - expectations
- Accessing OISS
- What’s new with OISS web development- Sean O’ Brien

- Split into two groups (humanities/languages and all other)

- ISD Updates and reminders
- Coming to the US process
- Visa waiver changes
- Tax season
- Visa Baggage: When they are already in the US
- “I don’t need a visa....”
- H-1B update and review
- Your Questions
Our Vocabulary for Today...
Accessing OISS

- Know who your **Advisor** is
- Please use direct phone and e-mail
- Scholar check-in Mon, Wed, Fri 9:00 (about one hour)
  - OISS does i-9s at and gives orientation
New Online H-1B Process

- Streamline collection of forms in one place
- Allow both the Dept. admin and the prospective employee to populate forms online.
- Better communication: Automatic notifications between Dept., employee, and OISS.
- Upload required documents, photos, etc.
- Handles export control and other related processes.
Before you start, please take a picture or scan of your passport ID page. You will be asked to upload the image.

Your Name as Listed on Your Passport

Given Names  First & Middle Name(s)  Family Name  Last Name or Surname

U.S. government regulations require OISS to record names on immigration documents as listed in the Machine Readable Zone (MRZ) of the passport.

Where can we contact you?

E-mail Address

For the purposes of issuing your immigration document we will correspond with you at this e-mail address.

Biographical Information

What is your Date of Birth?  Month  Day  Year

Country of Citizenship
Please double-check this PDF preview before submitting the survey. If you return to this survey later, you must re-enter your data.
Share experiences:
Starting a new record (when scholar is outside U.S.)

- ISD issues?
- Postdoc Office issues?
- STARs issues?
- 30 day advance start date
- Delayed arrival
- OISS check in
- Workday issues
- I-9 / pay issues?
Coming to the U.S.  J-1 Process

- Dept requests visa in ISD, OISS makes J-1 DS-2019, it is sent to scholar
- Scholar signs DS-2019 and applies to U.S. Consulate for visa
- With J-1 visa and DS-2019, gets on plane to U.S.
- At “port of entry” CBP inspects papers and “admits” scholar as J-1
- Scholar reports to OISS for check-in M, W, F at 9:00 am
Coming to Yale From Abroad

1.) Yale creates and sends original J-1 visa document (DS-2019)

2.) Scholar applies at US embassy for J-1 Stamp in the passport

3.) Scholar travels to US with: Passport, DS-2019, J-1 Visa Stamp

4.) At the airport CPB decides if the scholar can enter, as J-1, issues an I-94 record proving all is good
Visa Waiver Changes

- There is the B visa, and then there is Visa Waiver, including ESTA
- Before using Visa Waiver they must register with ESTA
- Visa Waiver changes targets security threats to the U.S.
- Individuals who are dual citizens of, or have visited Iraq, Libya, Syria or Sudan can no longer use the Visa Waiver, but can apply for B
- Stay tuned to further changes in the Visa Waiver and ESTA
Tax Season!

Personal Taxes

Understanding your U.S. Tax Obligations

International students and scholars in the U.S. have certain U.S. tax obligations. All international students and scholars are required to file a U.S. (federal) tax return even if you do not have U.S. source income. Below are a few things you need to know.

Do I really need to file? YES!

ALL international students and scholars who were in the U.S. for any period of time during any calendar year must file a federal tax statement, called an income tax return. And some international students and scholars will need to file a state tax return(s). If you did not have any U.S. source income, you will only file Form 8843. If you have U.S. source income, your next step is to determine your tax filing status.

Your Tax Filing Status

Before you begin your tax return, you will need to determine your tax filing status: nonresident tax filer or resident tax filer. Most, but not all, Yale international students will be nonresident tax filers. Most J-1 scholar will be nonresident tax filers for the first two calendar years in the U.S. However, some of you will be resident tax filers even though you have a nonimmigrant visa status. It is important to file in the correct status. If you do not know your tax filing status, FNTR (Foreign National Tax Resource) will help you determine it. FNTR is only available for nonresident tax filers. If you are a tax resident you will not be able to use FNTR. You can find more information on the IRS website.

Nonresident Tax Filer

Resident Tax Filer
Visa baggage: New to Yale, already in the U.S.

**J-1**
- J Transfer - No Gap
- J Transfer - Background Check
- Maxed out on time
- Two-Year Home-Residency and Waivers

**H-1B**
- Changing employers - No Gap
- Maxed out on time

**O-1**
- Not all qualify
- Process if requesting O-1
“I don’t need a visa...I’m in the U.S.!”

- For J and H Yale must start from scratch no matter what
- “I already have a visa” - always put it in ISD anyway
- They actually DO have their own visa! EAD Basics (F-1 OPT, J-2, pending green card, etc...)
STEM OPT

- Graduate from a school with an F-1 visa
- Apply for F-1 OPT (EAD card)
- Apply for an extension based on STEM OPT

STEM OPT employer requirements
- Training Plan (think Intern)
- Reporting requirements
- Site visits
Training Plan I-983

- **Employer ID Number (EIN):**
- **Number of Full-Time Employees in the United States:**
- **North American Industry Classification System (NAICS) Code:**
- **OPT Training Hours Per Week:**
- **Start Date of Employment:** Enter the date when the student will begin the STEM OPT training with the employer.
- **Compensation:** The terms and conditions of a STEM practical training opportunity (including duties, hours, and compensation) must be commensurate with those applicable to similarly situated U.S. workers, except that a STEM OPT participant must work at least 20 hours per week while employed.
- **Name of Official:** Enter the name of the appropriate individual in the employer’s organization who is familiar with, and will monitor, the student’s goals and performance. This may or may not be the same Employer Official as in Section 4.
- **Official’s Email:** Enter the email address of the appropriate individual in the employer’s organization who is familiar with, and will monitor, the student’s goals and performance.
- **Official’s Phone Number:** Enter the phone number of the appropriate individual in the employer’s organization who is familiar with, and will monitor, the student’s goals and performance.
- **Student Role and the Training Program’s Direct Relationship to the Student’s Qualifying STEM Degree:** Describe what tasks and assignments the student will carry out during the training and how these relate to the student’s STEM degree. The plan must cover a specific span of time, and detail specific goals and objectives.
### SECTION 3: EMPLOYER INFORMATION (Completed by Employer)

<table>
<thead>
<tr>
<th>Employer Name:</th>
<th>Street Address:</th>
<th>Suite:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Website URL:</td>
<td>City:</td>
<td>State:</td>
</tr>
<tr>
<td>Employer ID Number (EIN):</td>
<td>Number of Full-Time Employees in U.S.</td>
<td>North American Industry Classification System (NAICS) Code:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>OPT Hours Per Week (must be at least 20 hours/week):</th>
<th>Compensation</th>
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<tbody>
<tr>
<td>Start Date of Employment: (mm-dd-yyyy)</td>
<td>A. Salary Amount and Frequency:</td>
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<td></td>
<td>B. Other Compensation (Type and Estimated Amount or Value):</td>
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### SECTION 4: EMPLOYER CERTIFICATION

I declare and affirm under penalty of perjury that the statements and information made herein are true and correct to the best of my knowledge, information, and belief. I understand that the law provides severe penalties for knowingly and willfully falsifying or concealing a material fact, or using any false document in the submission of this form.

I certify on behalf of the employer that this Training Plan for STEM OPT Students ("Plan") is approved and that:

1. I have reviewed and understand this Plan, and I will ensure that the supervising Official follows this Plan;
2. I will notify the DSO at the earliest available opportunity regarding any material changes to this Plan, including but not limited to, any change of Employer Identification Number resulting from a corporate restructuring, any reduction in compensation from the amount previously submitted on the Plan that is not tied to a reduction in hours worked, any significant decrease in hours per week that a student engages in a STEM training opportunity, and any decrease in hours below the 20-hours-per-week minimum required under this rule;
3. Within five business days of the termination or departure of the student during the authorized period of OPT, I will report such termination or departure to the DSO (Note: business days do not include federal holidays or weekend days; and an employer shall consider a student to have departed when the employer knows the student has left the practical training opportunity, or when the student has not reported for practical training for a period of five consecutive business days without the consent of the employer), and
4. I will adhere to all applicable regulatory provisions that govern this program (see 8 CFR Part 214), which include, but are not limited to, the following...
H-1B Update and Review

- Timing: 6-8 months normal processing
- Premium Processing
- Who pays fees
- Preventing delays: Incomplete forms, changes in details
- Record keeping and site visits
Your Questions