David Recine: Hello to all of you Magooshers out there. Today I’m interviewing Othman Zaimi, known as Ozzie to his friends. Othman Zaimi works in international education in the United States, and he’s going to be telling us about whether or not international students can legally work in the United States. Whether you can get that job and that paycheck while you’re an international student. Thank you for joining us Ozzie.

Othman Zaimi: Thank you very much for inviting me, David.

David Recine: Yes, well it’s wonderful to hear from you today. Before we talk about international students and the working rights that they have, I wondered if you could tell us a little bit about your own international background there, Ozzie.

Othman Zaimi: Of course. So, I originally was an international student myself. I was born in Morocco, which is a country in north Africa. And I got a scholarship to study in the United States for a year. And I studied in the University of Wisconsin-La Crosse for one year. It was a great experience for sure. And I liked it so much that I decided to come back and get a masters in the United States, and then started working myself in the University of St. Thomas as an international student coordinator. It was really a great path from being a student to being the administrator myself.

David Recine: Yes, very good. And Ozzie, why don’t you tell our listeners what you master’s degree was in. What did you study?

Othman Zaimi: Of course. I studied at the University of Wisconsin –La Crosse—a masters in student affairs in higher education. Which is the field that basically prepares you to work anywhere in university administration. So it could be from the person working in the business office to the person working in admissions to the person helping you choose class, or even for my position—the person helping international students with their experience and studies the United States. It’s a very good master’s program.

David Recine: Right, and if I understand correctly, you’re helping international students at the University of St. Thomas, which is in St. Paul, Minnesota, correct?

Othman Zaimi: Yes, that is where I currently work in St. Thomas in St. Paul. There is another St. Thomas in another state, but for this one, it’s in St. Paul Minnesota, yes.

David Recine: And you currently work with a number of international matters, including helping international students understand their labor rights, if I understand correctly?
Othman Zaimi: Indeed. In my position, I advise students in a lot of matters, whether it is to help find the right classes, or ways to meet and befriend American students. But one of my main roles is as well to help the students know about their rights to find a job either on campus or off campus.

David Recine: Yes, and I’d like to talk about something that not all of our listeners are aware of. There’s not just one type of student visa that you can come into the US on, correct? There are different types of student visas?

Othman Zaimi: Exactly, and it is very much related to your right to work. There are two main types of visas that are given to international students when they come to study in the United States. You can either be an F1 or a J1. The F1 is a degree seeking visa, which means the student is coming to the United States to get a degree, either an undergraduate degree or a master’s degree. But the J-1 is strictly an exchange. That means that the student does not get a degree in the end. They however have the right to study and also sometimes work in the United States. But they are only here as an exchange student.

David Recine: So let me ask you a little bit more about the F1. What kind of work can an international student do if they have an F1 visa?

Othman Zaimi: So we separate the types of work that students can do in two parts. We have the on campus and the off campus. The on campus employment means that this is a job that is in the campus where the student studies, and it could be a job such as working at the cafeteria or being a teaching assistant, or helping with even the cleaning, that’s also part of some of the jobs that are on campus. The off campus is any kind of a job that is not inside the university—the university does not pay the student to work.

David Recine: And someone on an F1 visa—do they have equal rights to work on and off campus? Can they do either one?

Othman Zaimi: They can do either one, however, you don’t always have the right to work off campus as an F1 student. You always have the right to work on-campus. With a limit, however. As an F1 student, you can only work maximum 20 hours a week while the school is in session. That means during the fall and during the spring semester, a student can work a maximum of 20 hours a week, and that is considered part time. During the winter break and during the summer break, students are allowed to work more than 20 hours, and that is assuming of course that that they don’t take classes. And the reason for this rule is that basically the students are here to get a degree. Their work should be secondary. The students are here to study. That’s why they’re not allowed to work more than 20 hours on campus. For off campus, that is a completely different story. It’s not as easy to get an off campus job. Because to get an off campus job, you have to apply for something that’s called CPT… and OPT. Do you happen to know what they are, David?

David Recine: I’m a little bit familiar, but why don’t you explain this more in depth. For our listeners, what is CPT and what is OPT?
Othman Zaimi: So CPT is the curricular practical training. And this is basically a type of job that is useful for your degree. Let me give you an example. Let’s say that you have an undergraduate student who studies mechanical engineering. And to get experience in their field, and to understand the major they chose, they want to get an internship, or work somewhere that helps them get that experience. So when they graduate, they can say, oh yes, not only do I have a mechanical engineering degree, I have also have a few internships. That is what most American students do. But for international students, since they cannot freely work on campus--- they have to apply for the CPT. Which is basically… they simply have to prove that the job they’re applying to is related to their degree. That is really the rule they must follow.

David Recine: Yes, let me ask you a little bit more about that. You said they have to prove that the job they’re working would be related to their degree. Who do they need to prove that to? Who do they submit their request to?

Othman Zaimi: That’s a great question. Two parties have to agree with this proof. First of all, in the University of St. Thomas, the students fill out a form where they put in the information about their job. Which is the address of the employer, their position… And they also have to submit an offer, an employment offer from that workplace that is offering them the job. And that form must be signed by their academic advisor. And their academic advisor is the one that knows the most about their degree. Therefore that academic advisor does help to understand the field they’re trying to study. So they have to first approve of it, and then we on the other hand—the international student services advisors—so, my position…. we have to look at the form and make sure that the position is real, and make sure that they know about some of the rules and limits they have in this CPT.

David Recine: OK. What are the limits to CPT? For hours per week, or other limitations?

Othman Zaimi: So, there is part time and there is full time CPT. Part time CPT absolutely must be 20 hours or below per week. If the students work more than 20 hours, then they are in big trouble because then we have to terminate their visa. So that’s basically a big punishment. They accept and say that they are working part time, then they have to work a maximum of 20 hours. As for full time, they can work more than 20 hours. It could be 40, it could be 60. If they are accepted for full time CPT, they can work as many hours over their part time as possible.

David Recine: A question about that. Under which circumstances would a student be approved for full time CPT, because it seems like that would really interfere with studies.

Othman Zaimi: That really depends a lot on the universities. Some universities simply do not allow full time CPT during the semester. Other universities allow it. Our university, the University of St. Thomas, allows full time CPT during the semester. Mostly because a lot of our fields are very much based on real experience and having access to internships and jobs so that they can further their education. So we do allow full time CPT. However, this brings me to that second type of employment, which is OPT. First of all, I’ll explain a little bit about OPT, and come back to another limit to the CPT. I hope that I’m not speaking to fast, and the students are following a little bit what I’m talking about.
David Recine: I think they are. I’m having trouble following it too. It’s very complicated, but you’re doing a great job of breaking it down, Ozzie.

Othman Zaimi: Thank you. So I want to explain now what’s the optional practical training, which is OPT. So one limit that I forgot to talk about for CPT is that while students are taking the CPT, they must be full time students. That means they must take all the credits that they must take as a student. At our university, usually 12 credits per semester is full time. And they cannot be below full time. They have to take classes. So that is one of the limits to this experience. That means they can only work as long as they are students. However, optional practical training, OPT, is after the student graduates. So once the students graduates from their--- let’s say--- the same example, mechanical engineering degree--- they want to continue working with or start working for a company to get some experience in the field before they come back to their home countries. And that is usually a great experience for the students. So if you do that--- we allow--- or I should say the US government allows the students to work for a full year—12 months of optional practical training. So after they graduate…. So the student can—if they follow all the steps, they can study in the United States for 5 years, and they can stay an extra twelve months to work in a US company.

David Recine: Yes… sorry, I’m just taking this all in, this is a lot of very good information. I have a few questions to you about what you’ve said so far. First off, just to make sure I clarify, CPT, OPT, and campus employment… those are primarily for students with F1 visas, correct?

Othman Zaimi: Yes, yes

David Recine: OK yes, now… CPT—I think it would be very difficult to do full time CPT when somebody is taking 12 credits. Is full time CPT allowed for full time students during winter break or summer break if they’re not in school during that time?

Othman Zaimi: Exactly yes. Students during the winter break and during the summer break can switch from part time to full time and then work more hours the, during those times. However, they have--- and they absolutely have to come to us, to the international student advisors, so--- so for example me--- to meet with us, for us to do that change. If a student simply decides to go from part time to full time without coming to tell us about it, then they will have made a big mistake, and then they could lose their rights to study or live in the United States.

David Recine: I’ve got that. So students need to be very careful and they need to do things by the books. Let me ask you about OPT a little bit more.

Othman Zaimi: Of course

David Recine: Now, you talked about OPT as full time employment for a year after graduation. It strikes me that if a student who’s just gotten a degree qualification works full time for an American company for a year, the American company might begin to feel invested in them. Does OPT very often lead to full time work that’s more long term, or visa sponsorship after the student status has lapsed?
Othman Zaimi: Indeed. Actually, this is one of the main reasons why OPT was created as well. The OPT is definitely a conditional and temporary way for an international student to work for a company. But if they have proven themselves, and the company has decided that they would be a great addition to their workers, then they may themselves—the company—apply for H1-B, which is basically a work visa. So the company is the one that sponsors the students to work in the United States.

David Recine: OK, yes. And I have another question for you. You said that CPT and OPT permission is at the campus’s discretion. So if I understand correctly, different campuses may have their own policies on CPT or OPT, and may or may not approve it.

Othman Zaimi: Yes, yes definitely. A lot of campuses have different rules about it. Most of them have fairly similar OPT rules. That is the CPT… that usually depends on the university. Some universities do not allow full time CPT during the semester, they only allow part time,

David Recine: And what about on campus work? Are there some universities that will simply not let their F1 visa holders work on campus, or is that pretty much universal?

Othman Zaimi: That is pretty much universal. On campus employment is a right for the students and usually most American universities actually love having international students work for them, work for the universities in certain jobs, because those are usually jobs that have very few hours, which American students might not be very interested in. Let’s say an American student would prefer working 20 hours in a McDonalds rather than 5 hours in a food court. But for the international student, it’s usually a great thing to have those 5 hours, and plus they usually come in with bonuses such as access to food, to free meals sometimes… And if you work in the residence halls, you sometimes have some access to rooms for cheaper… so that’s something that the international students are very interested in.

David Recine: Yes. And I have another question for you, maybe a tricky one. OK, so when I was an undergraduate, I worked at the campus cafeteria, and I did have quite a few international student co-workers. Now what’s interesting is the campus cafeteria was actually operated by a private company. So our paychecks came from a private company that had a contract to provide food to the campus. Now that’s on campus work, but the employer itself is not based on campus, it’s a private company and it’s not the university. If a private company is offering a job on the campus, would that be CPT or would that be on campus work?

Othman Zaimi: That is a very very good question, and how the government defines it is… is the service provided to the students? That is the main definition of on campus employment. Let’s say the student works in a food court… they are paid by an outside company. However, they are helping the students. Their work is to help other students in food. If they are cleaning, their work is to help other students have a cleaner campus. So in that sense, their work is a service to the students. In the same way, and sort of to continue on your question, if the university has—let’s say—hired a construction company. So the construction company is working for the university. The international student would not be able to work in the construction of—let’s say—one of the buildings, because that service is not a service to the students. It is mainly a service to the university. So this is how the US government defines it. Is the job a service to the students?
David Recine: That brings me to another question. Because obviously students need to be careful, and they don’t want to break any rules and get in trouble. If a student applies to a private company that’s operating on campus, will a company be able to know whether or not they can legally work there? In other words, could the construction company say “Oh we can’t employ you,” or is it up to the student to figure out which private companies on campus they can legally work for?

Othman Zaimi: It is actually not up to the student there, it’s up to us to make that distinction—up to the international student services offices. That’s why whenever the student applies for on campus employment, they have to actually come to us, and then we approve of that position. Therefore we make the decision, is this job something that the students will be allowed to do or not.

David Recine: OK, so even for in campus employment that isn’t OPT or CPT, the students still go through your office so that you can make sure they are making legally safe decisions, decisions that work.

Othman Zaimi: Yes, we want to make sure the students do not have problems with the US government. And most of the time—this kind of brings me to another thing that I want to talk about at my job, is that we never wish to punish students for their choices. We only wish to protect them from a legal mistake that will end up having them be kicked out of the university or the country. So our role is almost to protect the students from those mistakes. And not make up the rules, In fact, we do not make up the rules, the US government does that.

David Recine: Yes, I see. So you basically make sure that the students can work legally, and work in a way that is compatible with their studies.

Othman Zaimi: Exactly. That is exactly a definition of our job.

David Recine: And so far we’ve been talking about F1. Now you mentioned J1. Is it ever possible for someone on a J1 visa—where they’re just an exchange student, and they’re not going to graduate in America—is it possible for that J1 holder to work in the US while they study in the US?

Othman Zaimi: Yes, yes they do. Now, J1 Visas, what you have to know about them is that they are an exchange and they usually are on an exchange scholarship. Now most of the time an exchange scholarship has some rules that are part of the exchange itself, and not something that is part of the US government rules. Let me give you an example to clarify here. I was myself when I was an exchange student in La Crosse, I was a J student. So, when I was a J1 student, I earned a scholarship that paid for my studies. One of the rules for that scholarship is that I wasn’t allowed to work. Because they were paying for my education, and they didn’t want me to work instead of study. So in that sense, the US government doesn’t prevent the students from working, but the scholarship does. So in most J1 visas that is three rule that we international student coordinators must try and follow. That is we must look at their scholarship and say is the scholarship allowing you to work first. And now, after this, let’s say assume that there’s no
limitation in the scholarship in that sense. Students are allowed to apply for something similar to CPT, but it’s called academic training. A much easier name to remember, don’t you think?

**David Recine:** I think so

**Othman Zaimi:** Yes. Academic training is exactly that. It is a chance for the students to do a job that is related to their field. And they also have the same rules, which is that they can be part time or full time. And again, we—the international student coordinators—make sure they have the right to do so. So we check their scholarships and make sure they filled out the forms, and that their scholarship providers allow this. And J1 students are also allowed to work on the campus as well, but with the same limits. They can seek that opportunity, but they must first come to our office and make sure that they are allowed to do that.

**David Recine:** So it sounds like students on J1 visas, under governmental law, they have very similar work rights to students on F1 visas. But often the scholarship programs have restrictions, which also must be followed.

**Othman Zaimi:** Yes, exactly. This is exactly what you’re saying. The restriction of the scholarship must be followed to remain a lawful J1 student.

**David Recine:** And are there any other visas our listeners should be aware of—a different type of student visa they might be on that has different labor rights?

**Othman Zaimi:** Those are the main ones we work with. Some students may be on an N visa, which is strictly a work study visa, which I am personally not very familiar with. And also students can sometimes look at their papers and find out they are F2s and J2s. And those are basically partners—usually spouses or children of the student, the main student who has the F or J visa. Most F2s or J2s are not allowed to work or even study on campus, but they are sometimes allowed to switch to F1 or J1. And that is a different application process, but it’s easier once you’re already in the United States.

**David Recine:** So if an F2 or J2 holder switches to F1 or J1, that means they also begin studying along with their partner, correct?

**Othman Zaimi:** Yes. An F2 can switch to F1, and a J2 can switch to J1. And then they are allowed to work and study on campus with a very similar process.

**David Recine:** The last thing I would like to talk about is loopholes, and by that I mean ways students might find to get around the rules… or think that they’re getting around the rules. And I want to give you a few examples of some things I’ve seen—probably some things we’ve seen together, because we have worked together. You’ve probably encountered, as have I, students who are musically talented, and they might play music on the street for tip—is that really a way around it? Can they just get tips for playing music?

**Othman Zaimi:** So technically, if we follow the law, the law says that any kind of work where the student receives a form of income is not legal unless it is through the processes that I’ve talked about before. My main comment about this is that as I’ve said earlier, international student services coordinators are not investigators. If they see a student in that situation, they may simply
assume that the money is not going to the student, that the money is going to be donated, that it is not an actual form of income. In that situation, we cannot really define what is income. Another example that I have had is the student was doing a research study, and the researchers were going to give him money for answering the questions. And in that situation again, is it really income? Some may consider it to be true. The simple thing is that the students cannot declare that income as taxable income. That is really the true way of defining what is income and what is not. That if they do declare that money is taxable income, then they are breaking the law.

David Recine: So another question. Suppose a student is making a lot of cash in some way, like getting paid for research or getting paid for their music or art. They’re not declaring it as income, and it’s not the job of international students to investigate. With that in mind, is there still any possible risk to receiving cash as an international student?

Othman Zaimi: Um… not that I know if. It’s simply a risk—a risk of them getting caught, basically. If an international student coordinator sees the process and then decides to say that this is considered income…. We are allowed to simply decide this is considered a job and we should be terminating you, we should be declaring you as having broken the law. Apart from that, really there is no tangible risk. However, it’s also simply a matter of what if someone tells on them. What if someone says “Well, I’ve seen them receive the cash, I’ve seen them work. They are taking this job or this money away from lawful Americans that are not international students.” In that situation, someone can simply declare that they are doing that, and then real investigators will actually come in—an investigative process...

David Recine: As in off-campus governmental investigators.

Othman Zaimi: Yes, and if I remember well, the government entity that does that is ICE. And that is the government entity that is part of the US government that is responsible for investigation.

David Recine: Part of immigration. So In other words, there is some risk, but the investigation could rule it’s OK, or there might be trouble.

Othman Zaimi: Most of the time if there is an investigation, it usually does not end well. I don’t remember of any instances where a homeland security investigation or ICE decides to investigate some form of money earning and not find out that is unlawful. In a sense, the student must know that they are doing something that is not right.

David Recine: And in that case, if the government investigates, it would be the same result as an on campus investigation? Which is the potential loss of a student visa and having to go back home and no longer study?

Othman Zaimi: Also there is the risk of the investigation simply saying that the student has broken one of the laws, and they can be banned from coming back to the United States.

David Recine: Ooh, scary

Othman Zaimi: So there is a bigger risk in that case if an investigation goes through. In fact one other thing… when students make a mistake and work on campus, work without permission—
and it happened to us, it happened to me many times. When the student comes in and says “Oh, I’ve been working the past two weeks for this company. Can I get any permission?” I say “Well, you’ve already been working, therefore you’re already too late, you’ve broken the law, I have to make a decision to terminate you.” In that case the student has made a mistake—they can reapply. They can stay as students in the United States. They will not be allowed to work. And they can enter a stage where they can simply fill out a form, pay some money, and then reapply while remaining students. And that reapplication depends on the gravity of their mistake. So if they just forgot to mention a form or forgot to do something, then usually the application process goes through. But if there is an investigation from homeland security, then that reapplication process will not go through, and the student is effectively banned from ever studying in the United States again.

**David Recine:** So if I understand this correctly, if a student makes a mistake and they realize they might be working illegally. It’s still best to come to international student services, because if it’s mid-semester, they can even continue to study as they simply reapply for their student visa and sort of reset their student visa?

**Othman Zaimi:** Yes, we definitely recommend that they continue their education. Because the university itself does not actually pay attention to what kind of visa the students have. In fact, they could be considered as illegal immigrants as an example--- who are still allowed to study. So in that situation, the university will still continue to accept the students as students. And they will continue to pay for their education and study in the United States, however the minute they leave the country, they will not be able to come back.

**David Recine:** Here, I think that’s a little bit of a confusing distinction. Let me give you an example of something that could happen. Suppose in the middle of semester, a student comes to you and says I’ve been working for you for a couple of weeks, I have been paid, I think this might be illegal. When they reapply for their student visa, it will generally be accepted—the reapplication, right?

**Othman Zaimi:** Yes. If they haven’t done any big mistake, if they haven’t broken the law, if they have only been working for a week or a couple of days… be it a whole semester or a whole year, then usually the process goes through, but obviously we cannot make any promises.

**David Recine:** And here’s my question, because you said you don’t look at visas, if they reapply for a student visa and the process does not go through? Will they be able to study the next semester, even just being in the country illegally?

**Othman Zaimi:** In that case, they will not be considered international students anymore, therefore they will not be the responsibility of our office anymore. They are effectively considered illegal. Which means that—let’s say—if Homeland Security finds out about them, they have the right to deport them. However, the institution itself does not have any legal obligation to support the students. Students have been known to stay as illegal immigrants, either working illegally or studying illegally at other locations. But that is a risk that they’re taking. And whether it’s worth it in the end is definitely debatable. However, as far as we are concerned, if the student’s
reapplication process does not go through, they simply are not international students anymore, and therefore they are not under our responsibility, and we cannot help them in any way.

**David Recine:** OK, so they would have to deal with another part of the university, to see if they could accepted as a student without having an international student visa.

**Othman Zaimi:** Exactly. Then there would be a whole other story of whether universities accept illegal immigrants or not. And that depends entirely on the university. Same things for jobs. Whether a job accepts illegal immigrants or not depends entirely on the job.

**David Recine:** And some of these things may sound a little scary to our students—this is the kind of trouble you could get in…. but I think we can end this interview on a more positive note. Because I’ve listened to you and my real takeaway from this is that international student services exists to keep students from making those mistakes, and to ensure that even if a student does make a mistake like that, if they can come to international services and say “I might have broken a labor law, I might have made a mistake,” international student services will do everything in their power to help the student recover from that mistake and continue their studies.

**Othman Zaimi:** Yes, definitely—this is part of—not just part of our job, this is our job. Our job is to make sure the students maintain a lawful status as international students in the university. We want to help them in every way we can. We want to help them go through the process or reapplication, we want to help them find a job legally, we want to help them make sure that they keep that job. And all we tell the students—really—is that before they make a decision, come talk to us. This my biggest advice for the students. Anything they want to do, if they just talk to us before, then they will cover their bases and they will not have an issue.

**David Recine:** I have one final question for you Ozzie. Many of our listeners, possibly most of them, are currently overseas in their home countries, and they’re about to go through the application process. During that application process, can international student services help them via email, give them advice on what work opportunities will be available to them or might be, and other things like that?

**Othman Zaimi:** Of course. One of their greatest resources is actually our website, which contains a lot of information about what I’ve just talked about, they can simply go to—and I hope you will share the link, it is stthomas.edu/oiss. And there they’ll find all the information they need to know about being an F1 student, being a J1 student, and the type of employment that is available in both situations, as well as information about the university itself. And a few other programs that help the students find jobs. We have a series called “Career Series” which helps students create American resumes, and helps them prepare for interviews, for interviews in the United States. So we not only help with the paperwork, we also help the students make sure they find a job that they like.

**David Recine:** Oh yes, absolutely, and I will share the link. And that’s something that I’m going to say in closing for our listeners. One of the biggest reasons I chose to interview Ozzie on this topic, besides his international background and expertise, is that the University of St. Thomas is a really great school that I’m very familiar with. And the Minneapolis/St. Paul area is, I think,
just a wonderful place to study if you’re an international student. Maybe one of the best places in the US to study as an international student. Ozzie and I have both worked with a lot of international students in the area. And we’ve seen a lot of smiles, a lot of really good life changing experiences, and you should certainly consider the University of St Thomas and the general area.

**Othman Zaimi**: Thank you very much. This is definitely my personal passion. Helping the students to make sure that they get a great experience. And the University of St. Thomas is committed to make sure the international students get the experience, the access to a great area, and also the education they need to become successful in their lives.

**David Recine**: Absolutely. Well, Ozzie it has been a great pleasure. I think our listeners will really enjoy this, and I will let you know once this is up. Goodbye everybody, and I look forward to your responses to this post.

**Othman Zaimi**: Thank you very much, goodbye everybody.

**David Recine**: Bye.