



NEW YORK UNIVERSITY

A private university in the public service

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PAYMENTS TO FOREIGN NATIONALS AT NYU

The [Controller's Division](#), in consultation with the [Office for International Students and Scholars \("OISS"\)](#) and the [Office of the General Counsel](#), is issuing the following guidance on payments to individuals who are not U.S. citizens or permanent residents. These payments may relate to employment, independent contractor/freelance services, honoraria, stipends or any other relationship that includes a payment to an individual who is not a U.S. citizen or permanent resident. **In some instances, a foreign national's visa will not allow the University to enter into certain financial or work relationships with that individual. Therefore, it is important to confirm that the desired relationship is legally permissible before agreeing to do so.**

This list is for general guidance purposes only and is not complete. There are many circumstances where employment or engagement of a foreign national may or may not be permitted, but the requirements may be more complex and require advice from those with expertise.

Please consult the OISS about employment of or engaging services from foreign nationals with other visa classifications or situations and Payroll to process the relevant information before the employment or services begin to ensure that payments may be made.

For questions related to international student employment, contact **David Austell**, OISS, at 998-4726. For questions related to all other types of employment of foreign nationals, contact **Lisa Vogel**, OISS, at 998-4727. Payroll processing questions can be directed to **Louis Curcio**, Tax Director, at 212 998-2955.

Under Usual Circumstances, You May NOT Employ or Engage Services From:

- Foreign nationals in F-2, H-4, O-3, or TD status (these are all dependent classifications where employment is not permitted under any circumstances).
- Foreign nationals in E-3, H-1B, and TN status sponsored by non-NYU employers (these visas are employer specific so though a foreign national may work for

more than one employer, the foreign national must be authorized to work for each employer).

Under Usual Circumstances, You May Employ or Engage Services From:

- Foreign nationals under NYU visa sponsorship in E-3, H-1B, J-1, O-1, or TN status who possess appropriate and valid immigration documents as proof of employment eligibility. NYU's name must appear as employer/sponsor on the document(s).

NOTE: For all visas above, permission is granted for a specific job on record with the U.S. government. If there is any question about what job has been approved, consult Scholar Services at 998-4720.

- International students
 - Under NYU's F-1 or J-1 visa sponsorship who are enrolled full-time for **any job on-campus up to 20 hours/week during the academic year and full-time during vacations** and who possess appropriate and valid immigration documents on which NYU's name appears as sponsor.

NOTE: J-1 students must additionally have a letter of authorization from the OISS.
 - Under any school's or organization's visa sponsorship who are on F-1 Optional Practical Training or J-1 Academic Training for work **full or part-time (as authorized) that is related to their field of study** and who possess appropriate and valid immigration documents.

NOTE: F-1 students must additionally possess an Employment Authorization Document (EAD); J-1 students must additionally possess a work authorization letter from their J-1 program sponsor.
 - Under any school's F-1 visa sponsorship who have authorization from their program sponsor for **Curricular Practical Training** (an integral part of their curriculum) as authorized by a Designated School Official on Form I-20.
- Foreign nationals in E-3D and J-2 status who possess a valid EAD and other appropriate and valid immigration documents.
- Foreign nationals in B-1/B-2 status (Visitor for Business/Tourism) or on the Visa Waiver Program (WB/WT) but only for honoraria (not wages) for "usual academic activity" where the activity lasts not more than 9 days. And note, the foreign national cannot accept honoraria from more than five institutions or organizations within a six-month period. Evidence of eligibility is an I-94 card showing B-1, B-2, WB or WT status.

Further Resources

If you have legal questions about payments to foreign nationals at NYU, you can find a member of the Office of General Counsel who practices in this area by visiting our [practice areas page](#) and scrolling to “Immigration.”