

Inclusive Hiring Strategies
An Approach to Utilizing International Talent



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What we will cover

- Understanding current labor trends
- General overview of the federal immigration system
- Internships / Post-graduate employment (CPT/OPT + STEM-OPT)
- Full-time employment for 1- 3+ years (H-1B/TN)
- Full-time permanent employment (Employment-based Green Cards)

Time for Q&A

This presentation explores ways employers can utilize the immigration system to meet skilled labor needs.

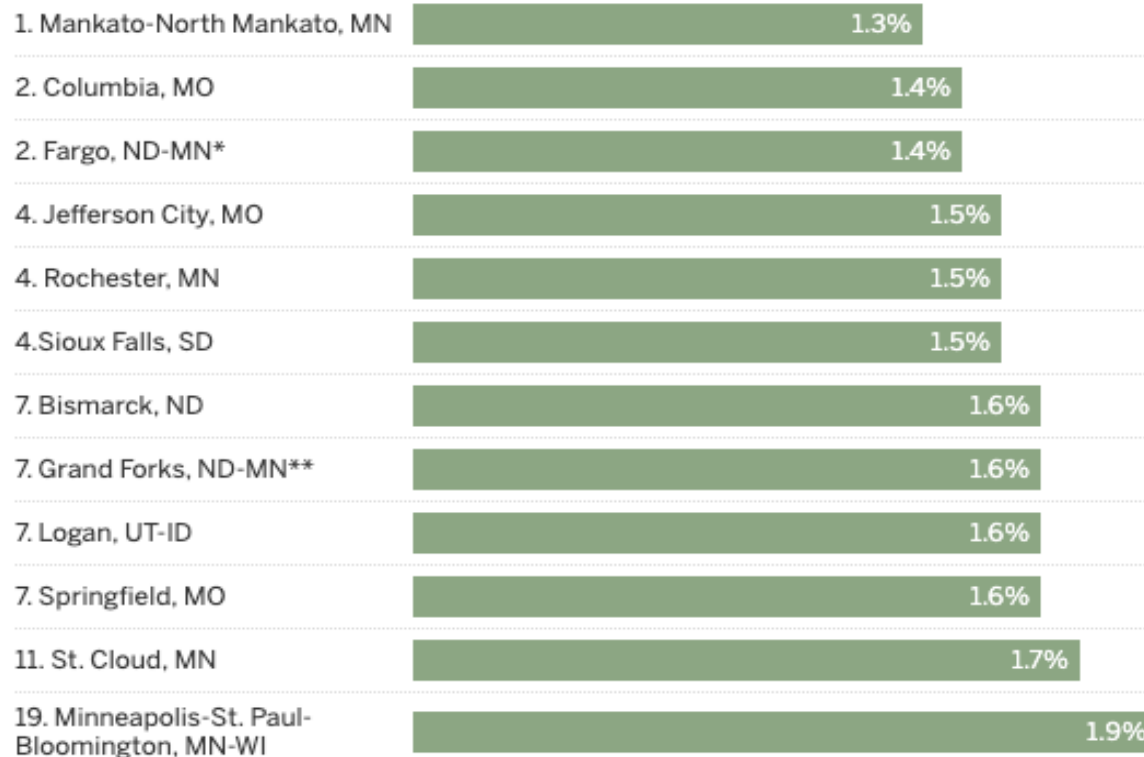


November 22, 2022

Lowest metro unemployment rates in the U.S.

Minnesota cities occupy several spots in the list, well below the U.S. not seasonally adjusted rate of 3.3% in September.

METROPOLITAN AREA UNEMPLOYMENT RATES FOR SEPTEMBER

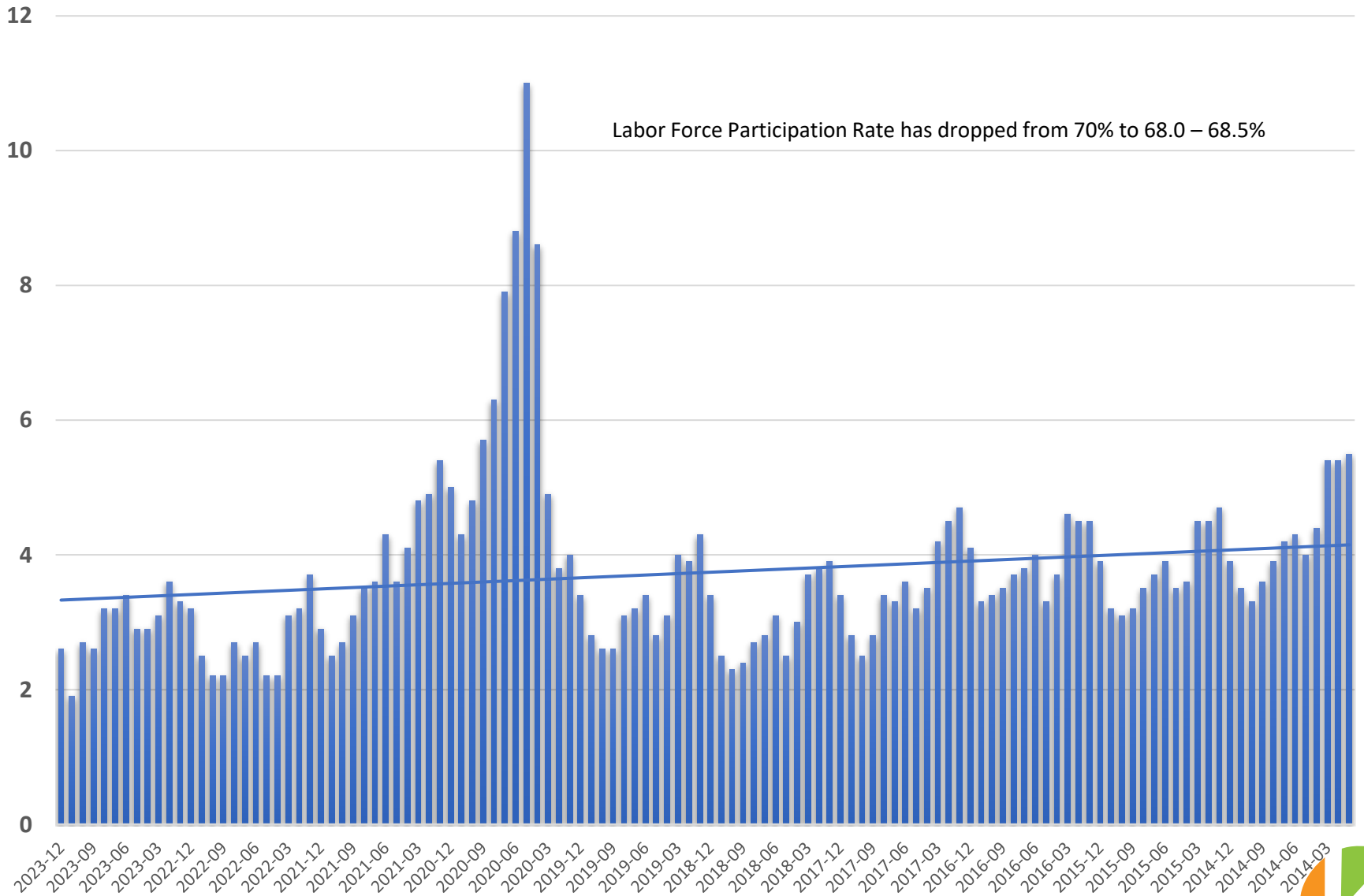


* Includes Moorhead, Minn. ** Includes East Grand Forks, Minn.

Jim Foster, Star Tribune • Source: U.S. Bureau of Labor Statistics



1/2014 - 12/23 | Unemployment Rate (Not Seasonally Adjusted) | 03/2014 – 12/2023

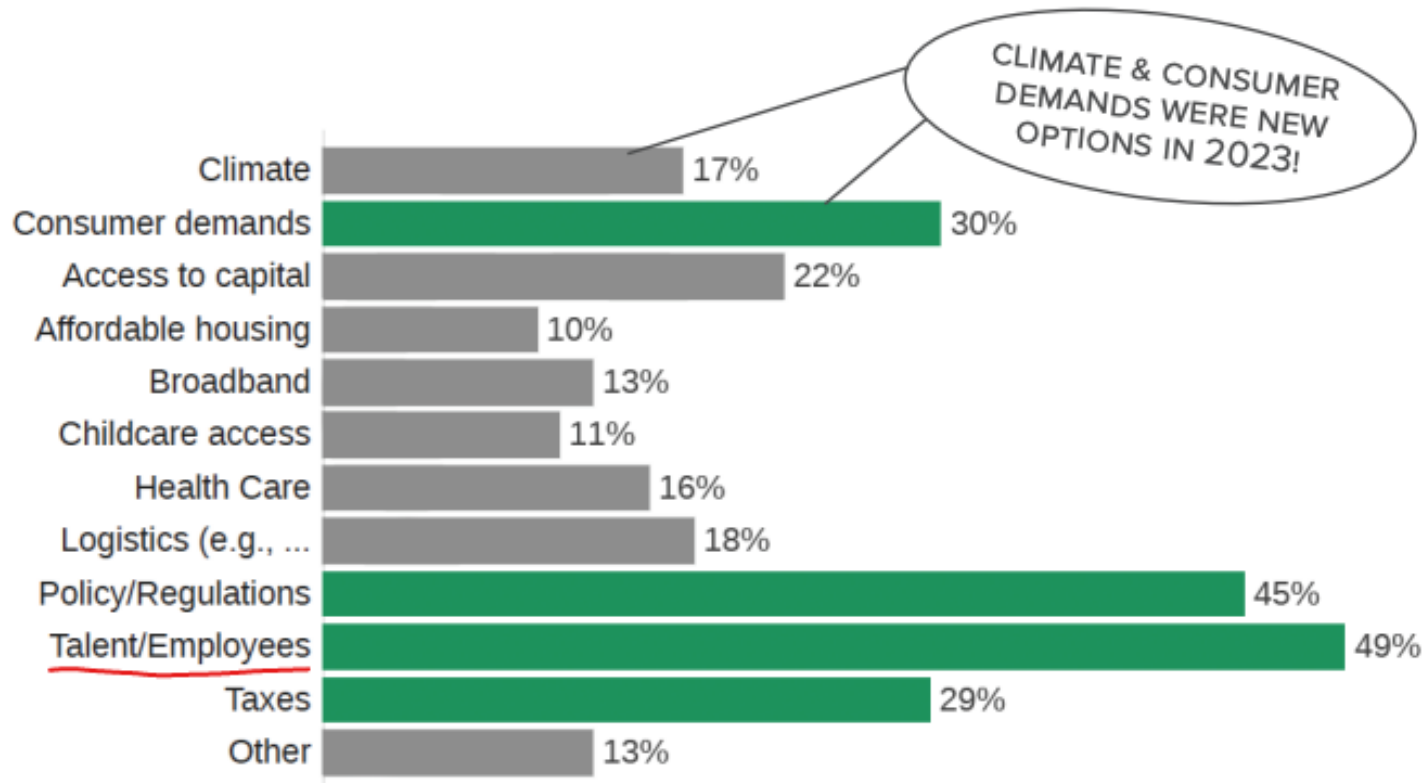


Labor Force Participation Rate has dropped from 70% to 68.0 – 68.5%



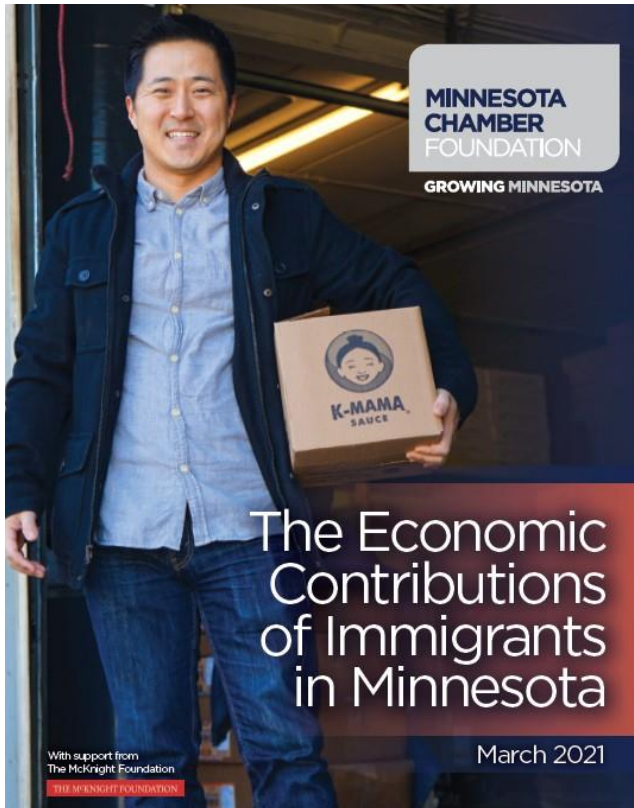
2023 GreenSeam State of Agriculture

8. WHICH FOUR OF THE FOLLOWING ISSUES MOST AFFECT YOUR BUSINESS'S ABILITY TO GROW (Select up to four.)



Immigrant's Positive Economic Impact in Minnesota

International migration to Minnesota increased in 2022 but could not offset large domestic migration losses. Minnesota fared among the worst among all states in net domestic migration in 2021 and 2022, losing a combined 39,000 people to other states over the two years and ranking 42nd in the nation. Minnesota did better at attracting international migrants – which increased by a net 14,194 in 2022 and ranked 19th among states since 2020. However, unlike past years, the positive flow of international migrants was not enough to offset domestic migration losses.



Without immigrant workers, key industries such as agriculture, health care and food manufacturing could not be as successful in the state.

Immigrants' spending power is over **\$12.4 billion annually**

Immigrant households **paid \$4.5 billion in taxes in 2019**

Higher rates of labor force participation than the native-born population



Reversing Minnesota's declining immigration numbers could rebuild a shrinking labor force

Immigration has plunged since 2015, but a reversal could help combat the state's labor shortage.

By Dee DePass Star Tribune | APRIL 25, 2023 — 5:00AM



MATT ROURKE, ASSOCIATED PRESS

As of January, Minnesota employers had 212,000 job openings, more than twice the number of unemployed workers.

Increasing immigration could help ease Minnesota's labor shortage.

[Star Tribune](#)

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Minnesota State Mankato Ranks 9th Nationally in International Student Population in 2022 Open Doors Report

NOVEMBER 18, 2022 | NEWS STORY

M **Fall 2023, there are 5,000 international students at the U of M Twin Cities**

International

The rankings,

Minnesota

State Mankato as having 1,751 international students during the fall 2021 semester

- the most ever by the University in the annual Open Doors Report.

[Source: MSU Mankato](#)

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Business Case Overview

What are your current business costs?

Recruitment & Acquisition

Sign-on Bonuses (if applicable)

Onboarding

Retention Bonuses (if applicable)

Training

Turnover



A Multi-Faceted Approach

- Consider the opportunity cost of overlooking international students, graduates, and others with work authorization
- Gain a better understanding about how your organization may utilize this key labor pool
- Trouble finding talent? Consider the revolving door of international talent in our state through our Colleges and Universities and those with work authorization



Three tracks of immigration law to permanent residency and citizenship



Family-based
Immigration



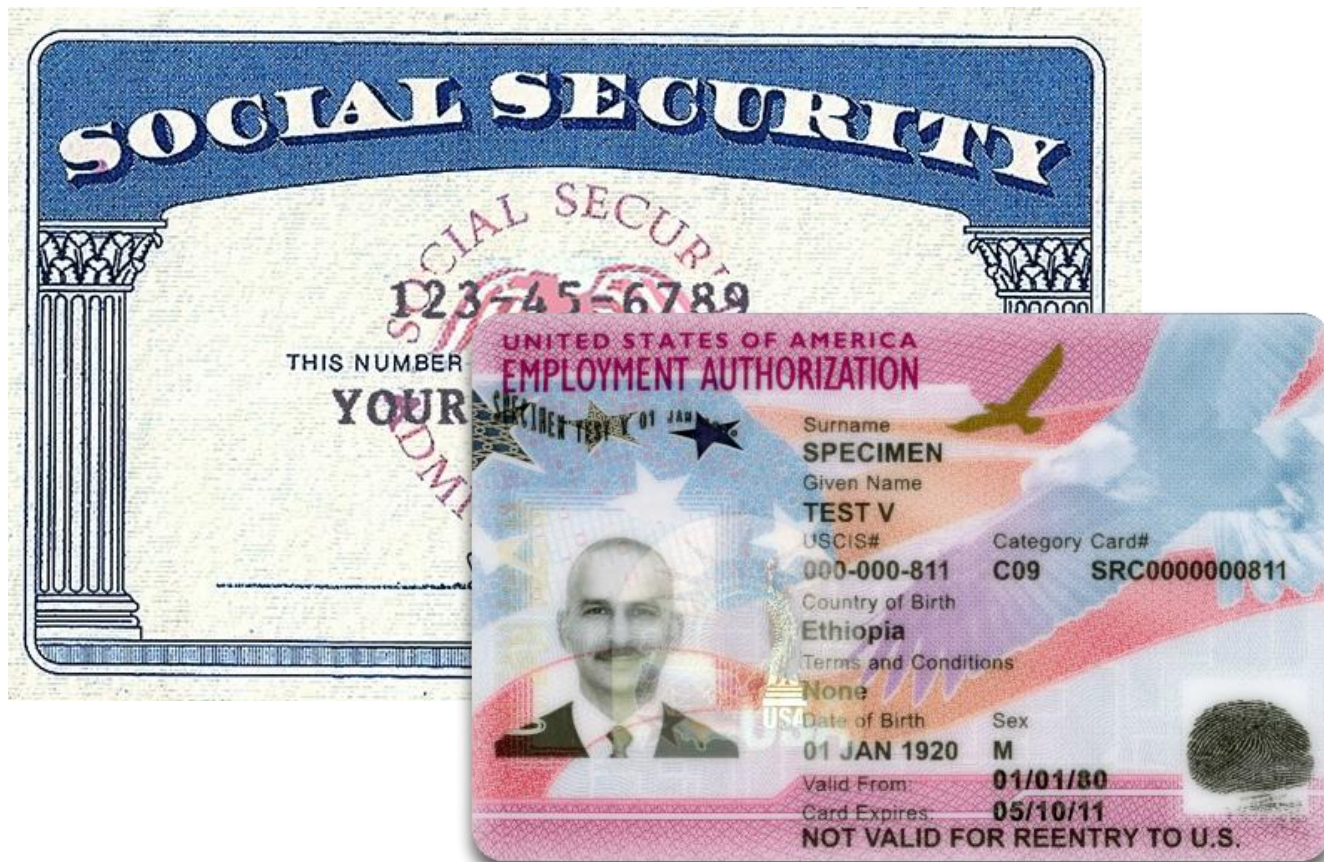
Employment-based
Immigration



Humanitarian Relief



Necessary Employment Documents



Skilled vs Low-Skilled Labor

Skilled Labor

a specialty occupation is one that requires the application of a body of specialized knowledge and typically the attainment of **at least a bachelor's degree or its equivalent**

Teachers, Mental Health Practitioners, Nurses, Engineers, IT, HR, Accountants, etc.

Low-Skilled

work that requires little to no experience or education

General Laborers, Cashiers, Cooks, Bank Tellers, Delivery Drivers, Café Barista, etc.



Did you know...

- You can hire international talent from colleges and universities for up to 4 years **WITHOUT** sponsorship?
- International students and graduates **PAY** government fees to work for you?
- There are **MINIMAL** requirements for an international student or graduate to work for you?

Common Options for International Students & Graduates

1. Find an employer
2. Return to school
3. Family-based sponsorship
4. Return home

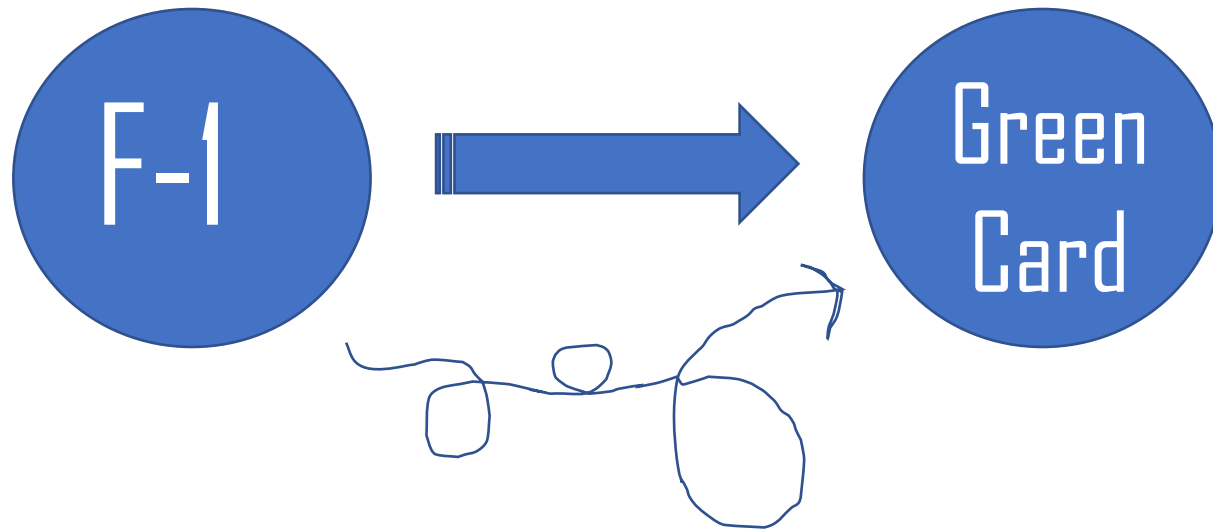
Beat the odds and left their comfort zone to attend university in the U.S.

Took a leap of commitment to themselves

**With their global perspective and willingness to learn,
they bring an innovative mindset paired with
an insatiable desire to make it happen.**



But how do students get from....



Student Internships and their first job after graduation



Curricular Practical Training
(CPT)



Pre Optional Practical Training
(Pre-OPT)



Post Optional Practical
Training (OPT)

Helpful website: <https://www.uscis.gov/working-in-the-united-states/students-and-exchange-visitors/optional-practical-training-opt-for-f-1-students>



Curricular Practical Training (CPT)

Does the student's course of study require an internship experience?



CPT Details

Student role: Obtain internship offer letter, submit application to international student office, remain in good academic standing

School role: Facilitate CPT authorization (Page 2 of I-20)

*Help connect students to potential internships?

Employer Role: Extend offer letter; request copy of intern's updated I-20 to verify that intern's CPT has been authorized

NO GOVERNMENT FEES FOR CPT



Pre-Optional Practical Training (Pre-OPT)

Does the student want to work off campus part-time or seek a summer internship relating to the student's area of study?



Pre-OPT Details

Student role: Submit request for OPT recommendation to international student office; once approved, within 30 days submit I-765 Application for Employment Authorization to US Citizenship & Immigration Services (USCIS).

Must wait until EAD is received before beginning employment

School role: Review OPT requests submitted by students

- *Help connect students to potential employment opportunities

- *Help students complete the I-765

- *Tip: Remind students that working on Pre-OPT will reduce the amount of time the student can work on OPT after graduation

Employer Role: Complete I-9 prior to student beginning work, as you would for any employee

\$410 GOVERNMENT FEE PAID BY STUDENT



Post-Optional Practical Training (OPT)

Does the student want to work in the United States immediately after graduation?



OPT Details

Student role: *Same as Pre-OPT*

Submit request for OPT recommendation to international student office; once approved, within 30 days submit I-765 Application for Employment Authorization to US Citizenship & Immigration Services (USCIS).

Must wait until EAD is received before beginning employment. Cannot work on Pre-OPT EAD.

School role: *Same as Pre-OPT*

Review OPT requests submitted by students

- *Help connect students to potential employment opportunities
- *Help students complete the I-765

Employer Role: *Same as Pre-OPT*

Complete I-9 prior to student beginning work, as you would for any employee

\$410 GOVERNMENT FEE PAID BY STUDENT



OPT Details

Duration: 12 months for F-1 students

Exceptions:

1. Any approved pre-OPT or full-time CPT will be deducted from the 12 month OPT period.
2. Graduates with a degree in a STEM field* have the opportunity to extend their 12 month OPT period an additional 24 months (36 months total)

- Employers who hire STEM graduates on 24-month extension are expected to provide documentation of what kind of formal training program has implemented to support the student's academic learning through practical experience. the employer

NO FEES FOR EMPLOYERS



Eligible STEM Majors

The Department of Homeland Security determines which designated STEM degrees comply under 8 CFR 214.2(f)(10)(ii)(C)(2). Generally, they fall into these four buckets:

1. Engineering
2. Biological and Biomedical Sciences
3. Mathematics and Statistics
4. Physical Sciences

The complete list can be found at: <https://studyinthestates.dhs.gov/stem-opt-hub/additional-resources/eligible-cip-codes-for-the-stem-opt-extension>



Recent additions to STEM majors list

Bioenergy

Forestry

General, Forest Resources Production and Management

Human-Centered Technology Design

Cloud Computing

Anthrozoology

Climate Science

Earth Systems Science

Economics and Computer Science

Environmental Geosciences

Geobiology

Geography and Environmental Studies

Mathematical Economics

Mathematics and Atmospheric /Oceanic Science

Data Science

Data Analytics

Business Analytics

Data Visualization

Financial Analytics

Data Analytics

Industrial and Organizational Psychology and Social Sciences

Research Methodology and Quantitative Methods



Example 1

Menkem is an international undergraduate student studying in the United States on an F-1 visa. He is majoring in Elementary Education.

Menkem currently works on campus as a tutor.

After college, he hopes to teach at a Minnesota school.

What status is he eligible for? For how long?



Longer-term
employment
options:
H-1B

H-1B is a temporary three-year work visa for international graduates that is employer specific, position specific, and location specific.



H-1B visa details

1. Duration: 3 years, but can be renewed for a total of 6 years
2. There must be an “employer-employee” relationship (both parties agree to terms of offer)
3. Employer must cover legal fees and processing fees for H-1B visa and agree to pay the **prevailing wage** determined by the Department of Labor
4. Minimum education level for H-1B status is a **bachelor’s degree** in the field of proposed employment
5. There is a cap on most employers, which favor large employers
Exemptions to the cap include employers that are non-profits, government research organizations, universities, and many public-school districts

Most employers hire an attorney to facilitate the H-1B visa application process.





TN Visa Canada & Mexico

- No lottery and available for 3-year periods; may be extended for an additional 3 years indefinitely
- Skilled labor with a minimum education level of a bachelor's degree or foreign degree equivalent
- **Relevant industry occupations for a TN Visa:**
 - Accountant
 - Engineer
 - Graphic Designer
 - Lawyer
 - Social Worker
 - Occupational Therapist
 - Nurses
 - Most Scientists

Example 2

Evelyn is an international graduate student studying in the United States on an F-1 visa. She is majoring in Mental Health Counseling.

During summer break, Evelyn had a full-time 3-month internship at a health clinic in the Twin Cities. She used Pre-OPT to legally work in the United States.

The same clinic offered her a full-time job during and after college if she can obtain work authorization.

What status is she eligible for? For how long? What dialogue should she be sure to have with her prospective employer?



Example 3

Olivia is a Canadian undergraduate student studying in the United States on an F-1 visa. She majors in Electrical Engineering and will graduate in May 2024.

Olivia worked full-time for 3 months during her 2023 summer internship and was awarded 'Best Summer Intern'. She plans to continue working on part-time CPT until she graduates.

Today, her entire division was eliminated. Olivia lost her position and future hopes for a work visa.

What should Olivia do? What status is she eligible for? For how long? What dialogue should she be having with her future employer?



Strategic Timelines – Best Case Scenario

Recruit between Junior & Senior Year

- CPT / Pre-OPT (Summer 2024)
 - Continue working Part-time < 20 hours/week during senior year

Graduates in Spring 2025

- Post-OPT - Full-time on site for 9 - 12 months until Spring 2026
- If not STEM OPT eligible, consider H-1B sponsorship and enter the lottery in the Spring of 2025 and/or Spring 2026.

STEM OPT Eligible - until Spring 2028

- 24 months of continued Full-time employment
- Enter H-1B lottery in Spring 2026, Spring 2027 (if needed), and Spring 2028 (if needed)

Longer-term
employment
options:
EB-2
EB-3

Employment-based immigrant visas are green cards
obtained through employer sponsorship



EB-2 & EB3 visa details

1. There are EB preference categories 1-5, but EB-2s are for master-level and terminal degree holders and EB-3s are for bachelor degree holders and other workers (skilled, professionals, and unskilled)
2. An EB-3 has almost no restrictions for those you are able to sponsor
3. The EB-3 is a good option for employers willing to wait 2-3 years.
4. An EB-3 visa can range from \$7,500 – \$12,000+

Most employers hire an attorney to facilitate the EB visa application process.



Questions?





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