

How to Employ a Foreign National

A foreign national is **ANYONE** who is not a citizen of the United States or a green card holder. Anyone who has a VISA falls under the classification of foreign national, and need to follow the following process when becoming employed at the New School.

- 1.) Have the employee fill out a **Foreign National Information Collection Form (FNICF)**, and an I-9. Make sure that they attach all documents specified on the first page of the form.
- 2.) Send the completed form with the PRA for that employee to MaryCatherine Youmell in the Human Resources Department, 80 Fifth Avenue, 4th Floor.
- 3.) From the information provided on the FNICF, tax forms are generated that are specific to the employee and the tax treaty that the United States has with that person's country.
- 4.) Employee gets an e-mail from Human Resources asking them to come in and sign their tax forms. **If they do not do this, they cannot be paid.**
Please remind your employee to be looking out for this email. It will have the subject line; "Foreign National Tax Forms Ready."

Tips for a smooth hire:

- Please *do not* have International employees fill out US tax forms (W-4, IT-2104). The **ONLY** US form that they need to fill out is an I-9.
- Please *do not* send parts of the employee's paperwork separately, have the employee fill out the FNICF and attach documents and send the PRA along with this form.
- Please **DO NOT** have your foreign national work for you without going through this process first. Not every foreign national is eligible to work for us, and it's important that we determine this before they begin work.
- If the student has trouble filling out the form, I am more than happy to meet with them. They can email me, call me, or come in and have a meeting if they set up an appointment.

MaryCatherine Youmell
Human Resources Associate
80 Fifth Avenue, 4th Floor
(212)229-5671 x4951
youmellM@newschool.edu

3.) **What is the I-20 and DS-2019?:** This is the certificate of eligibility that you receive from the University to verify your status, without one we cannot employ you at the New School.

4.) a. If you have an **F Visa**, you will have an I-20 from the University and it will look like this:

U.S. Department of Justice
Immigration and Naturalization Service
Certificate of Eligibility for Nonimmigrant (F-1) Student Status - For Academic and Language Students
 Page 1

This page must be completed and signed in the U.S. by a designated school official.

1. Family Name (Surname):
 First (given) name (do not enter middle name):
 Country of birth: **TAIWAN** (Date of birth (mm dd/yyyy):
 Country of issuance: **TAIWAN** (Passport number (mm/dd/yyyy): **4715547604**

2. School (school address name): **UNIVERSITY OF CALIFORNIA, LOS ANGELES**
 School official to be contacted if student is absent in U.S. (Name and Title): **OFFICE OF INTERNATIONAL STUDENTS AND SCHOLARS**
 Street address (include zip code): **405 HILGARD AVENUE, LOS ANGELES, CA 90074-1379**
 School code (including 3-digit suffix, if any) and admission date: **LOS 2147 0297.000** (Issued on: **4/30/04**)

3. This certificate is issued to the student named above for:
 (Check one and fill out as appropriate)
 a. Initial attendance at the school
 b. Continued attendance at the school
 c. Summer session
 d. Transfer from _____
 e. Use by dependents for entering the United States
 f. Other _____

4. Level of education the student is pursuing at the purpose of the United States (check only one):
 a. Primary
 b. Secondary
 c. Associate
 d. Bachelor's
 e. Master's
 f. Doctorate
 g. Language training
 h. Other _____

5. The student named above has been accepted for a full course of study at the school, majoring in **Electrical Engineering**

6. This school certifies the student's average cost for an academic term of \$ _____ to be:
 a. Tuition and fees \$ **12,406.00**
 b. Living expenses \$ **53,136.00**
 c. Expenses of dependents \$ _____
 d. Other (specify): _____
 Total \$ **65,542.00**

7. This school has information showing the following as the student's means of support, estimated for an academic term of _____ month(s) less the same number of months given in item 3:
 a. Student's personal funds \$ _____
 b. Funds from the school \$ _____ (Specify type) \$ **26,602.00**
 c. Funds from another source \$ _____ (Specify type and source) **Family funds from abroad**
 d. On-campus employment (if any) \$ _____

b. If you have a **J Visa**, you will have a DS-2019 from the University and it will look like this:

PLEASE DO NOT STAPLE THIS FORM **ASSURE THAT IMPRESSIONS ON ALL COPIES ARE CLEAR** **DATE REVISION: NOV. 14, 2003 (19)**
EXPIRATION DATE: 2-28-2004 **ESTABLISHED: SEPTEMBER 25, 1952 (100)** **FORM I-2019 (Rev. 10/03)**

U.S. Department of State
CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR (J-1) STATUS **G 0173939**

1. FAMILY NAME (DO NOT WRITE IN THESE SPACES) (LAST NAME) (FIRST NAME)
 Country: **JAPAN** (City): **Hokkaido** (Country): **JAPAN**
 a. Name of: **JAPAN** (City): **JAPAN** (Country): **JAPAN**
 b. Official position in that country of: **PROFESSOR/RESEARCHER**
 U.S. address: **UCLA/OISS, Los Angeles, CA 90095-1379**

2. Will be sponsored by: **UNIVERSITY OF CALIFORNIA, LOS ANGELES, LOS ANGELES, CA 90095-1379**
 to participate in Exchange Visitor Program No. _____, which is established and is of the following nature:
 A program of University of California, Los Angeles to provide courses of study, lecturing, and research opportunities, in the various fields of instruction and research conducted by University of California, Los Angeles for qualified foreign students, professors, research scholars, short-term scholars and specialists to promote the general interest of international, educational, and cultural exchange.

3. This form covers the period from **10/15/2003** to **8/31/2004**
 Exchange Visitors are permitted to travel abroad & maintain status (e.g. obtain a new visa) under condition of the program as indicated by the date on this form.

4. The category of this visitor is: (1) Student, 2 () Trainee, 3 () Teacher, 4 () Professor, 5 () International Visitor, 6 () Alien Physicist, 7 () Government Visitor, 8 () Research Scholar, 9 () Short-Term Scholar, 10 () Specialist, 11 () Career Specialist. The specific field of study, research, teaching or professional activity is: **Distraction otopragnosia; maxillary hypoplasia & craniofacial**

5. During the period covered by this form, the total estimated financial support in U.S. \$ to be provided to the exchange visitor by:
 a. () The Program Sponsor in item 2 above \$ **50.00**
 This Program Sponsor has has not indicated receipt of funding for international exchange from one or more U.S. Government Agencies to support its exchange visitor. If any U.S. Government Agency(ies) provided funding, indicate the Agency(ies) by code below:
 b. () U.S. Government Agency(ies) (Agency Code) \$ _____ (Agency Code) \$ _____
 c. () International Organization(s) \$ **50.00.00** (Int. Org. Code) \$ **50.00.00**
 d. () The Exchange Visitor's Government \$ **50.00.00** (If Exchange Visitor is from another country)
 e. () All other organizations providing support \$ **50.00.00** (Ministry of Edu. Culture, Sp. & Sci.)
 f. () Personal funds \$ _____

6. See USE OF CERTIFICATION BY RESPONSIBLE OFFICER THAT REPLICATION COPY OF THIS FORM HAS BEEN PROVIDED TO THE INDICATED OFFICER.

7. OFFICE OF INTERNATIONAL STUDENTS AND SCHOLARS
 417 Charles E. Young Dr., West, Los Angeles, CA 90032-1379
 (Telephone No.) **8/5/2002**
 (Signature of Responsible Officer or Advisor (S/O))

8. STATEMENT OF RESPONSIBLE OFFICER FOR RELEASING SPONSOR (FOR TRANSFER OF PROGRAM)
 Date: _____ Title of the authorized transfer program No. _____
 I hereby certify that the program specified in item 2 is necessary in accordance with the objectives of the Mutual Education and Cultural Exchange Act of 1961.

9. SIGNATURE OF RESPONSIBLE OFFICER FOR RELEASING SPONSOR (FOR TRANSFER OF PROGRAM)
 (Signature of Responsible Officer or Advisor (S/O))

DS-2019 (Formerly AF-60) Copy 1 - To be collected by INS at Responsible Office for U.S. Department of State Page 1 of 6

Frequently Asked Questions:

1.) I don't have a Social Security Number, can I still work for the New School?

-In order to be paid through the payroll department, you need a Social Security Number.

-To begin your employment, all you need to do is prove that you've at least *applied* for a SSN.

For instructions on when and how you should apply for a Social Security Number, please visit International Student Services at:

http://www.newschool.edu/forms/iss_social_security.pdf

When you applied, the Social Security Office will give you a letter verifying your application; attach a copy of this with your FNICF.

As soon as you get your card, bring a copy of it into Human Resources so we can put it in your file.

2.) How do I figure out the dates of my immigration status, the actual date I entered, and the end date of my immigration status? (Questions 16, 17 and 18)

(16) The start date of your immigration status refers to the first time that you entered the country for this primary purpose. For example, if you are a student who started your first year here in 2000, the first time you entered the country is the answer to 16.

(17) The actual date you entered refers to the most recent stamp on your I-94. For example, if you entered in January 2005 and went home for the summer, returning in September 2005, this is the actual date that you entered.

(18) The projected end date of your immigration status is NOT necessarily when your Visa expires, but is the date that the New School stops sponsoring you for your primary activity here. This date can be found on your I-20, or DS-2019 document.

3.) What if I don't remember my immigration activity since 1985? (Question 22)

It is very important to at least estimate the Visa's that you've previously had so that we can accurately determine your status for tax purposes. You do not need to list every time you entered and exited the country here, but if you traveled here once on a tourist Visa in 1991, and then an F-1 Visa for four years from 1996-1999, and are now on a J-1 Visa, you should put all of these down.

The reason that we have to count beginning 1/1/85, is that this is the date that the Substantial Presence Test (the way we determine residency for tax purposes) became effective.

4.) What are treaty benefits?

The United States has income tax treaties with over 60 countries. These treaties specify whether or not compensation made in the United States (or made in a foreign country but paid by an institution from the United States) is subject to withholdings. Treaty benefits, when applied to you at employment, can exempt you from having money withheld from your employment check. We determine whether or not you are eligible for treaty benefits based on the information that you provide on your Foreign National Information Collection Form.

5.) Are there any reasons why I would not want to elect treaty benefits?

Electing treaty benefits on your employment income, and not having taxes withheld from you check is not mandatory, it is an option. In most cases, there's no reason that you would not want to elect your treaty benefits. However, there are certain countries that have a "one time only" clause in their treaty, which means that the employee can only claim exemption from withholdings ONCE. These countries are: China, Czech Republic, France, Indonesia, Jamaica, Portugal, and Slovak Republic.