

Use with CAUTION. Provided for guidance only.

SUMMARY OF NONIMMIGRANT VISA CLASSIFICATIONS:

Visa	Description	Employment Eligibility
A-1	Foreign Diplomatic Personnel.	Principal A-1/A-2 visa holder may be employed only by foreign government entity
A-2	Individuals in the U.S as employees of a foreign government, e.g., ambassador, minister, diplomat, or consular officer.	
	Dependent of A-1/A-2 Visa Holder Immediate family members of foreign government officials. (Dependents also carry A-1 /A-2 status.)	
A-3	Employee of Foreign Government Official. Attendants, servants, or other personal employees of foreign government officials.	May be employed only by foreign government entity.
B-1	Visitor for Business. Individuals in the U.S. for a short time to engage in business activities such as negotiating with business associates, attending professional conferences, or conducting independent research. May not engage in any employment in the U.S., including salaried work or services performed on an independent basis.	Foreign visitors present in the U.S. on a B-1 visa may be paid honorarium, stipend, or other form of compensation for services rendered from a U.S. source. Only contracts for overseas employees, consulting "reasonable" reimbursement for incidental expenses— including accommodations, meals, and travel expenses—may be paid.
B-2	Visitor for Pleasure. Individuals in the U.S. for travel, tourism, or recreation.	Foreign visitors in the U.S. on a B-2 visa are prohibited from receiving payments of any kind from any U.S. source. Reimbursement of expenses is prohibited.

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	Waiver for Business (WB) and Tourism (WT). Individuals permitted to enter the U.S. without a visa for a stay limited to 90 days. Available only to citizens of countries designated by the U.S. State Department.	Laws regarding study and employment for holders of WB or WT visa waivers for business and tourism are identical to their B-1/B-2 visa counterparts. Visa holders may not extend length of stay or change immigration status.
C-1	Aliens in Transit through US - not diplomats.	Not permitted to receive payment from any U.S. source.
C-2	Aliens in Transit – to and from UN HQ.	
C-3	Aliens in Transit through US – Diplomats.	
D-1/	Alien Crewman.	Permitted to be employed in the U.S. only by the vessel or aircraft.
D-2	Crew members employed on a vessel or aircraft who are in the U.S. on "stopovers."	
E-1	Treaty Investor. Individuals in the U.S. to conduct trade under a treaty between their country and the U.S., and key employees of companies trading under such a treaty.	Principal E-1 /E-2 visa holders may be employed only by the trade-qualifying company through which they obtained the visa status. USCIS Form I-797A authorizes employment.* EAD is not required. Spouse of E-1/E-2 visa holders are permitted to be employed. EAD required.
E-2	Treaty Investor. Individuals in the U.S. to direct and the operations of an enterprise in which they have invested substantial capital, and employees of companies making such investments. Must be based on a treaty between visa holder's country and the U.S.	Principal E-1 /E-2 visa holders may be employed only by the trade-qualifying company through which they obtained the visa status. USCIS Form I-797A authorizes employment.* EAD is not required. Spouse of E-1/E-2 visa holders are permitted to be employed. EAD required.

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E-3	Temporary Worker in a Specialty Occupation. Limited to citizens of Australia; perform Professional services for a sponsoring employer in a specific position for a fixed period of time. Employment authorization is granted for an initial period of up to 2 years. Extensions can be granted indefinitely in increments of up to 2 years. Annual cap of 10,500.	May be employed and compensated only by the sponsoring employer through whom the status was obtained. Must submit evidence of Australian nationality. Employer must obtain certification of a Labor Condition Application (LCA). Requires only an I-94 card as employment authorization or USCIS Form I-797 approval notice. EAD is not required.
F-1	Student. Individuals in the U.S. engaging in a full course of academic study in an accredited educational program. May include elementary school, academic high school, college/university, conservatory, or language training. (Students enrolled in vocational training are given M-1 visas.)	<ol style="list-style-type: none"> 1. While maintaining valid F-1 status, may be employed on the campus of the school they are authorized to attend for a maximum of 20 hours per week while classes are in session. Part-time, on-campus employment is authorized by the school, and prior USCIS approval is not needed. During school vacations, students may work on campus full-time if otherwise eligible and intending to enroll for the next term. 2. While enrolled, F-1s in circumstances of "economic hardship" may work off campus if so recommended by DSO on form I-20. In such cases, EAD is required. 3. May participate in employment directly related to field of study. This employment may take the form of: <ul style="list-style-type: none"> <i>Curricular Practical Training.</i> Employment required for completion of the student's degree program. Requires approval of DSO on SEVIS form I-20. EAD not required. Employment authorization is job specific.

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		<i>Optional Practical Training.</i> Employment during or after completion of study. Total, aggregate may not exceed 12 months. Requires recommendation of DSO and approval by USCIS. EAD required.
F-2	Student. Individuals in the U.S. as dependents of an F-1 visa holder.	Not permitted to work in the US under any circumstances. May accept Scholarship/tuition waivers, IF no service is required
F-3	Border Commuter Student. (Border students; Mexico/Canada)	Same as F-1 above
G-1 G-2 G-3 G-4	Representative of International Organization. Individuals in the U.S. as representatives of an international organization - e.g., the United Nations - and their dependents.	Principal G visa holders may be employed only by the organization or foreign government they represent. Spouses and unmarried dependent children of an officer or representative of an international organization may be employed if they present to USCIS a fully executed Form I-566 bearing the endorsement of an authorized representative of the Department of State, subject to any restrictions stated in regulations or cited on the EAD. EAD is required.
G-5	Personal employee of G-1, G-2, G-3, G-4 Visa Holder. Individuals in the U.S. as personal employees of a representative of an international organization.	G-5 may be employed only by the official or representative of the international organization.

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Visa	Description	Employment Eligibility
H-1B	Temporary Worker in a Specialty Occupation. Individuals in the U.S. to perform professional services for a sponsoring employer in a specific position for a fixed period of time. Employment authorization is granted for an initial period of up to 3 years. Extensions for an additional 3 years is possible. Further extensions permitted under certain circumstances.	Employment permitted only with the sponsoring institution that obtained USCIS approval for the visa classification. Prohibited from receiving payments from other organizations. However, individuals may receive USCIS approval to work in H-1B status for more than one employer. Each employer must petition USCIS and receive approval for the employment. USCIS Form I-797A authorizes employment. EAD is not required.
H-1C	Registered Nurse. Individuals in the U.S. to perform professional nursing services for a specific employer for a fixed period of time.	Eligible to be employed only by the petitioner through whom status was obtained. USCIS Form I-797A authorizes employment.* EAD is not required.
H-2A	Agricultural Worker. Individuals in the U.S. to perform agricultural work on a temporary basis.	May be employed only by the petitioning employer for a specific period of time. USCIS Form I-797A authorizes employment.* EAD is not required.
H-2B	Skilled or Unskilled Worker. Individuals in the U.S. in a temporary position for which a shortage of U.S. workers exists, working for a specific employer for a fixed period of time.	May be employed only by the petitioning employer for a specific period of time. USCIS Form I-797A authorizes employment. EAD is not required.

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Visa	Description	Employment Eligibility
H-3	Trainee. Individuals in the U.S. in a temporary period to participate in a training program provided by a specific employer.	May be employed only by the petitioning employer for the period of validity of the petition. USCIS Form I-797A authorizes employment. EAD is not required.
H-4	Dependent of H Visa Holder. Individuals in the U.S. as dependents of an "H" visa holder.	Not permitted to be employed or receive compensation from any U.S. source.
I	Representative of Foreign Information Media Individuals in the U.S. as journalists or representatives of international media, and their dependents.	Permitted to be employed only by the sponsoring foreign news agency or bureau. Dependents are not permitted to be employed.
J-1	Exchange Visitor (Student). Individuals in the U.S. as exchange visitors for the primary purpose of studying at an academic institution under the auspices of the US Department of State and a Designated Program Sponsor.	May be employed on the campus of the school in which they are enrolled to a maximum of 20 hours per week with prior written authorization from the Responsible Officer of their Designated Program. May work off campus under limited circumstances provided they have obtained prior written authorization from the Responsible Officer. Employment does not require additional permission from USCIS or an EAD. Eligible for 18 months of academic training following completion of their program (36 months for postdoctoral training).

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J-1	Exchange Visitor (Short-term Scholar, Professor, Researcher, or Specialist). Individuals in the U.S. as visiting researchers or professors under the auspices of the US Department of State and a Designated Program Sponsor.	Eligible to receive payment from the organization listed on SEVIS Form DS 2019 as the source of funds and/or the Designated Program Sponsor for the period of validity as stated on the DS-2019. Under limited circumstances, may receive compensation from other institutions provided prior written authorization from the Responsible Officer of their Designated Program has been secured. Form DS2019 authorizes employment. EAD is not required.
J-1	Au Pair. Individuals in the U.S. under the auspices of the U.S. Department of State and a Designated Program Sponsor to serve as a live-in child-care provider for a host family.	Eligible to receive payment only from the host family or the Designated Program Sponsor for child-care services not to exceed 45 hours per week.
J-2	Dependent of J-1 Visa Holder. Individuals in the U.S. as a dependent (spouse or unmarried child under the age of 21) of a J-1 student or scholar.	Eligible to apply to USCIS for work authorization. With EAD issued by USCIS, may work for any employer. Employer must reverify employment authorization after expiration date on EAD.
K-1	Fiance(e) of a US citizen. Individuals in the US to marry a US citizen	Eligible to apply to USCIS for work authorization. EAD required.
K-2	Dependents of K-1 Visa Holder. Individuals (minors) in the US as dependents of a K-1 visa holder.	Eligible to apply to USCIS for work authorization. EAD required.

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Visa	Description	Employment Eligibility
K-3	Spouse of US Citizen. Individual in the US who married a US citizen and is waiting for immigrant visa.	Eligible to apply to USCIS for work authorization. EAD required.
K-4	Dependent of K-3.	Eligible to apply to USCIS for work authorization. EAD required.
L-1	Intracompany Transferee. Individuals in the U.S. who have been transferred from a subsidiary, affiliate, or branch office overseas to the U.S. to work in an executive, managerial, or specialist capacity.	May be employed only by company that obtained visa status on their behalf, for the period of time indicated by USCIS. USCIS Form I-797A authorizes employment. EAD is not required. payment from any U.S. source.
L-2	Dependent of L-1 Visa Holder. Individuals in the U.S. as a dependent of an L-1 visa holder.	L-2 Spouses are permitted to work. EAD required.
M-1	Vocational Student. Individuals enrolled in a vocational school or study program in the U.S.	May be employed for practical training following completion of studies for t maximum of 6 months. Must apply to USCIS for EAD. Employment must be related to field of study and recommended by DSO through endorsement of I-20. Employer must reverify employment authorization after expiration date on EAD.

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SUMMARY OF NONIMMIGRANT VISA CLASSIFICATIONS:

Visa	Description	Employment Eligibility
M-2	Dependent of M-1 Visa Holder Individuals in the U.S. as dependents of an M-1 student.	Not permitted to be employed or receive compensation from any U.S. source.
M-3	Border Commuter Vocational Student.	Same as M-1. See above
NATO 1- 6	NATO Personnel. Individuals in the U.S. as members of the armed services of the nations of the North Atlantic Treaty Organization, staff members, attendants, servants, and personal employees of NATO personnel.	Payment limited to funds provided through NATO award. Dependents are eligible to apply to USCIS for work authorization. EAD is required. Employer must reverify employment authorization after expiration date of EAD.
N-8	Parent of alien (minor) accorded special Immigrant status.	Eligible to be employed. EAD required.
N-9	Child of parent accorded special Immigrant status.	Eligible to be employed. EAD required.
O-1 O-2	Person of Extraordinary Ability. Accompanying Personnel. Individuals of extraordinary ability in the sciences, arts, education, business, or athletics who are in the U.S. to work for a sponsoring employer or organization (O-1), and their accompanying personnel (O-2).	May be employed and compensated only by the petitioning employer or agency through whom the status was obtained. USCIS Form I-797A authorizes employment. EAD card is not required.

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Visa	Description	Employment Eligibility
O-3	Dependent of O-1 and O-2 Visa Holder. Individuals in the U.S. as dependents of O-1 and O-2 visa holders.	Not permitted to be employed or receive compensation from any U.S. source.
P-1	Internationally Recognized Athlete or Entertainment Group, or Essential Support Personnel. Individuals in the U.S. as internationally recognized athletes competing individually or as part of a team, or individuals performing as part of an entertainment group that has been internationally recognized, and their essential support personnel.	May be employed and compensated only by the petitioning employer or agency through whom the status was obtained. If a member of a group, may not perform services apart from the entertainment group. USCIS Form I-797A authorizes employment. EAD card is not required.
P-2	Artist or Entertainer Under a Reciprocal Exchange Program. Individuals in the U.S. as artist or entertainer, operating individually or as a group, who will be performing under a reciprocal exchange program between an organization in the U.S. and one in a foreign state.	May be employed and compensated only by the petitioning employer or agency through whom the status was obtained. USCIS Form I-797A authorizes employment. EAD is not required

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P-3	Artist or Entertainer in a Culturally Unique Program. Individuals in the U.S. as artists or entertainers, individually or as a group, recognized for excellence in developing, interpreting, representing, coaching, or teaching a unique or traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation.	May be employed and compensated only by the petitioning employer or agency through whom the status was obtained. USCIS Form I-797A authorizes employment. EAD is not required.
P-4	Dependent of P 1, P 2, or P 3 Visa Holder. Individuals in the U.S. as dependents of the holder of a P 1, P 2, or P 3 visa.	Not permitted to be employed or receive compensation from any U.S. source.
Q-1	International Cultural Exchange Visitor. Individuals in the U.S. as participants in an international cultural exchange visitor program approved by the Attorney General to provide practical training, employment, and the sharing of the history, culture, and traditions of the foreign national's country.	May be employed and compensated only by the petitioning employer or agency through whom the status was obtained. USCIS Form I 797A authorizes employment. EAD is not required.
Q-2	Irish Peace Process Cultural and Training Program Visitor.	Prior approval by Department of State. No EAD required.
Q-3	Immediate dependents of Q-3.	Not employment eligible

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R-1	Religious Worker. Individuals in the U.S. as members of a bona fide religious denomination carrying out the activities of a religious worker.	May be employed and compensated only by the religious organization through which the status was obtained. EAD is not required.
R-2	Dependent of R 1 Visa Holder. Individuals in the U.S. as dependents of an R-1 visa holder.	Not permitted to be employed or receive compensation from any U.S. source.
S-5	Witness or Informant regarding Criminal Organization.	Eligible to be employed. EAD required.
S-6	Individuals in the US to provide critical information to federal and state authorities essential to the success of a terrorist investigation.	Eligible to be employed. EAD required.
S-7	Dependent of S-5 or S-6 Visa Holder Individuals in the U.S. as dependents of S-5 or S-6 visa holders.	Eligible to be employed. EAD required.
T-1	Individual in the US to provide information On severe form of trafficking in persons.	Eligible to be employed. EAD required.
T-2	Spouse of T-1.	Eligible to be employed. EAD required.

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T-3	Child of T-1.	Eligible to be employed. EAD required.
T-4	Parent of T-1.	Eligible to be employed. EAD required.
TN	Trade NAFTA. (for citizens of Canada & Mexico) Individuals in the U.S. to perform professional services for a sponsoring employer in a specific position for a fixed period of time.	May be employed and compensated only by the sponsoring employer through whom the status was obtained. Require only an I 94 card as employment authorization or USCIS Form I 797. EAD is not required.
TD	Dependent of TN Visa Holder. Individuals in the U.S. as dependents of the holder of a TN visa.	Not permitted to be employed or receive compensation from any U.S. source.
U-1	Victim of certain criminal activity.	Eligible to be employed. EAD required.
U-2	Spouse of U-1.	Eligible to be employed. EAD required.
U-3	Child of U-1.	Eligible to be employed. EAD required.
U-4	Parent of U-1.	Eligible to be employed. EAD required.

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V-1	Spouse of Lawful Permanent Resident. Individuals in the US who are spouses of US Lawful Permanent Resident that have been waiting more than three years for an immigrant visa.	Eligible to be employed. EAD required.
V-2	Minor unmarried child of US Lawful Permanent Resident.	Eligible to be employed. EAD required.
V-3	Minor unmarried child of V-1 or V-2.	Eligible to be employed. EAD required.