



## **Non-Immigrant Visa Classifications**

## Foreign Nationals Who May Be Lawfully Employed and/or Study in the U.S. with Certain Restrictions

The ability to be employed and/or compensated for services in the U.S. is dependent upon the non-immigrant visa status held by the foreign national AND the specific immigration regulations, which govern the visa.

Many non-immigrant visa categories permit an individual to be employed and/or compensated by a U.S. employer. However, in almost every case, employment and compensation are restricted to an identified, sponsoring employer or organization, for a fixed period of time within a specific capacity.

This chart describes all the non-immigrant visa categories currently in effect today and outlines the restrictions placed on an individual's ability to be employed, receive compensation and/or study in the U.S. USNH departments should use it as a guideline only. For definitive information regarding the compensation, employment or enrollment of students and scholars at UNH, please contact the Office of International Students & Scholars.

Note: U.S.C.I.S. refers to the United States Citizenship and Immigration Services, under the Department of Homeland Security. U.S.C.I.S. has taken over some of the responsibilities of the former U.S.C.I.S. (United States Citizenship and Immigration Services).

	VISA CLASSIFICATIONS
VISA TYPE	DESCRIPTION
A-1 A-2	A-1 status is reserved for foreign government officials or employees of those governments such as ambassadors, public ministers, career diplomats, consular officers or other high-level government officials.
Foreign Diplomatic Personnel	A-2 status is used for other officials or employees of foreign governments in lesser ranks.
	May engage in study if incidental to the primary purpose of being in the U.S. and valid visa status is maintained.
	Permission to receive any compensation beyond diplomatic work must be granted in advance by the Protocol Division of the Department of State and approved by U.S.C.I.S.
A-1	Dependents of foreign government officials and employees.
A-2	May engage in full or part-time study.
Dependents	A spouse or unmarried dependent child of a foreign government official may be employed if they present a fully executed Form I-566 bearing the

	endorsement of an authorized representative of the Department of State.
A-3	Attendants, servants or other personal employees of foreign government officials.
	May engage in full or part- time study.
	Only permitted to be employed by the foreign government official.
B-1	An individual in the U.S. for a short period of time to engage in such business activities as: negotiating contracts for overseas employees, consulting with business associates, attending professional conferences, or conducting
Visitor for Business	independent research.
	May engage in study if incidental to primary purpose of the visit and valid visa status is maintained.
	Foreign visitors present in the U.S. on a B-1 visa are not permitted to be e m p l o y e d i n t h e U.S.
	However, academic Institutions may pay honoraria and associated incidental expenses for a usual academic activity lasting not longer than nine days at any single institution. The services performed must be conducted for the benefit of the academic institution AND the foreign national may not accept payment or expenses from more than five Institutions within the previous sixmonth period. Must present a valid visa and Form I-94, Record of Arrival and Departure as verification of immigration status.
B-2	An individual in the U.S. for travel, tourism and recreational purposes.
Visitor for Tourism	May engage in study, which is incidental to the primary purpose of the stay in the U.S. Full-time study is not allowed.
	Foreign visitors in the U.S. on a B-2 visa are prohibited from being employed in the United States.
	However, academic Institutions may pay honoraria and associated incidental expenses for a usual academic activity lasting not longer than nine days at any single institution. The services performed must be conducted for the benefit of the academic institution AND the foreign national may not accept payment or expenses from more than five Institutions within the previous sixmonth period. Must present a valid visa and Form I-94, Record of Arrival and Departure as verification of immigration status.
B-2	An individual who has entered the U.S. and indicated a clear intent to study in the U.S. or to change to J-1 Exchange Visitor Status. Consulate notation
Prospective Student or Prospective Scholar	on visa page indicates the "Prospective" status. Individual must apply for a change of status prior to the expiration date on the I-94 card.
	Must apply for change of status to F-1 or J-1 immediately upon receiving I-20 or DS-2019 to be eligible for full-time study.
	Prohibited from receiving payments of any kind from any U.S. source. Not eligible to be employed at the academic institution until approval for change to F-1 or J-1 student status is received from U.S.C.I.S.

Visa Waiver for	An individual permitted to enter the U.S. without a visa for a stay limited to 90
	days. Only available to citizens of countries designated by the U.S. State
Business	Department.
(VWB)	
and Tourism (VWT)	Laws regarding study and employment for holders of VWB (Visa Waiver for
	Business) or VWT (Visa Waiver for Tourism) are identical to their B-1 or B-2
	counterparts listed above. Foreign nationals entering the U.S. under the visa
	waiver program are NOT permitted to extend the length of stay or change
	visa status from within the U.S.
C-1, C-1D, C-2,	An individual in transit from one country to another "stopping over" in the
C-3 and C-4	U.S.
Aliens in Transit	No study allowed.
7 mone in Transit	Not no monitoral to managina managant from any 11 C. common. Managant ha
	Not permitted to receive payment from any U.S. source. May only be
D 4	employed by the foreign government entity.
D-1	Crewmen who are employed on a vessel or an aircraft who are in the U.S. on "stopovers".
D-2	Stopovers.
	No study allowed.
Alien Crewman	The study allowed.
	Permitted to be employed in the U.S. only by the vessel or aircraft.
E-1	An individual in the U.S. to conduct trade under a treaty between his/her
	country and the U.S., or a key employee of such a company.
Treaty Trader	E-1/E-2 dependents may engage in full or part-time study.
Treaty Tradei	
	The principal E-1 or E-2 Treaty Trader or Investor may engage in study if it is
	incidental to the primary purpose of the stay in the U.S. and valid E status is
	maintained.
	May only be employed by the trade qualifying company through which the
	May only be employed by the trade-qualifying company through which the foreign national obtained the visa status. Dependents of E-1/E-2 visa holders
	are not permitted to be employed.
	are not permitted to be employed.
	Form I-797 authorizes employment. No EAD card is required.
E-2	An individual in the U.S. to develop and direct the operations of an enterprise
	in which he/she has invested substantial capital, or an employee of such a
Troaty Investor	company. Must be based on a treaty between his/her country and the U.S.
Treaty Investor	
	E-1/E-2 dependents may engage in full or part-time study.
	The principal E-1 or E-2 Treaty Trader or Investor may engage in study if it is
	incidental to the primary purpose of the stay in the U.S. and valid E status is
	maintained.
	May only be employed by the trade-qualifying company through which the
	foreign national obtained the visa status. Dependents of E-1/E-2 visa holders
	are not permitted to be employed.
	Form I-797 authorizes employment. No EAD card is required.
F-1	An individual in the U.S. engaging in a full course of academic study at an
' '	accredited academic educational program. May include: elementary school,
Student	academic high school, college/university, conservatory or language training.
Student	(Students enrolled in vocational training are given M-1 visas.)

	Must participate in full-time study as defined by the academic, educational program; may reduce course load in certain circumstances as defined in the regulations and with PRIOR approval by OISS staff.
	May be permitted to be employed on the campus of the school in which they are enrolled for a maximum of 20 hours per week while classes are in session or 40 hours per week during school vacations. No approval from U.S.C.I.S. is needed for on-campus work.
	2. May be permitted to work off-campus during their enrollment under certain circumstances. This employment requires U.S.C.I.S. authorization; EAD card issued.
	3. Permitted to participate in employment directly related to their field of study. This employment may take the form of:
	a. Curricular Practical Training. Employment, which is required for completion of the student's degree program or for a course. Requires approval of OISS staff. No U.S.C.I.S. approval is required.
	b. Optional Practical Training. Employment during or after the completion of studies. Requires recommendation by OISS staff and approval from the U.S.C.I.S. in the form of an EAD card.
F-2	An individual in the U.S. as a dependent of an F-1 visa holder.
Dependent of F-1	May engage in part-time study. Must change status to F-1 for full-time study.
	Not permitted to work in the U.S. under any circumstances.
G-1, G-2, G-3, G-4	An individual in the U.S. as a representative of an international organization and their dependents, e.g. United Nations.
Representatives of International Organizations	Principal G visa holder may engage in study if incidental to the primary purpose of the stay in the U.S. and valid G status is maintained. G dependents may engage in full or part- time study.
	Principal G visa holders are ONLY permitted to be employed by the foreign government entity or international organization they represent.
	A spouse or unmarried dependent child of an officer, or representative of an international organization may be employed if they present a fully executed Form I-566 bearing the endorsement of an authorized representative of the Department of State, pursuant to any restrictions stated in the regulations or cited on the employment authorization document.
G-5	An individual in the U.S. as a personal employee of a representative to an international organization.
Personal employees of G- 1, G-2, G-3, or G-4 visa holders.	May engage in study if incidental to the primary purpose of the stay in the U.S.
	Principal G visa holders are ONLY permitted to be employed by the foreign government entity or international organization they represent.

	A spouse or unmarried dependent child of an officer, or representative of an international organization may be employed if they present a fully executed Form I-566 bearing the endorsement of an authorized representative of the Department of State, pursuant to any restrictions stated in the regulations or cited on the employment authorization document.
H-1B	An individual in the U.S. to perform services of a professional nature for a sponsoring employer in a specific position for a fixed period of time.
Temporary Worker in a Specialty Occupation	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	Employment permitted ONLY with the petitioning organization through whom the visa classification was obtained. Prohibited from receiving payments from other organizations.  However, it is possible for an individual to obtain U.S.C.I.S. approval to work in H-1B status for more than one employer. Each employer must petition U.S.C.I.S. and receive an approval for the employment.  U.S.C.I.S. Form I-797 authorizes employment and no EAD card is required.
	Employment authorization is granted for an initial period of up to 3 years. Extensions for an additional 3 years are possible for a six-year maximum stay.
H-2A	An individual in the U.S. to perform agricultural work on a temporary basis.
Agricultural Worker	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May be employed ONLY by the petitioning employer through whom the visa status was obtained for a specific period of time. Form I-797 authorizes employment and no EAD card is required.
H-2B	An individual in the U.S. in a temporary position for which there is a shortage of U.S. workers, for a specific employer for a fixed period of time.
Skilled or Unskilled Worker	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May ONLY be employed by the petitioning employer through whom the visa status was obtained for a specific period of time. Form I-797 authorizes employment and no EAD card is required.
H-3	An individual in the U.S. for a temporary period of time to participate in a training program provided by a specific employer.
Trainee	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May work ONLY for the petitioning employer through whom the visa status was obtained for a specific period of time. Form I-797 authorizes employment and no EAD card is required.
H-4 Dependents of H	An individual in the U.S. as a dependent of any "H" visa category.
visa holders	May engage in full or part-time study.
	Not permitted to be employed or receive compensation from any U.S.

	source.
1	An individual in the U.S. as a journalist or representative of international
1	media, and their dependents.
Representative of Foreign Information Media	Principal I visa holder may engage in study if incidental to the primary purpose of the stay in the U.S, while maintaining valid visa status. Dependents are permitted to engage in full or part-time study.
	Permitted to be employed only by the sponsoring foreign news agency or bureau.
	Dependents are not permitted to be employed.
J-1 Exchange Visitor	An individual in the U.S. as an exchange visitor for the primary purpose of studying at an academic Institution under the auspices of the U.S. Department of State and a Designated Program Sponsor.
(Student)	Must study full-time; may engage in part-time study ONLY if authorized by OISS staff or the Program Sponsor's Responsible Officer.
	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 Exchange Visitor Program.
	May also work off- campus under limited circumstances provided they have obtained prior written authorization from the Responsible Officer. Employment does not require additional permission from U.S.C.I.S. or an EAD card. Eligible for 18 months of academic training following the completion of their program (36 months for Post-Doctoral Training).
J-1 Exchange Visitor	An individual in the U.S. as a visiting researcher or professor under the auspices of the U.S. Department of State and a Designated Program Sponsor.
(Scholar, Professor or Researcher)	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid J-1 visa status.  May NOT enroll in a formal degree granting academic program while in J-1 visa status as a professor or researcher.
	May be employed only by the Exchange Visitor Program Sponsor or appropriate designee and within the guidelines of the program approved by the U.S. Department of State for the period of validity as indicated on the DS-2019.
	Under limited circumstances, may receive compensation from other Institutions provided prior written authorization from the Responsible Officer of their Exchange Visitor Program has been secured. DS-2019 Form authorizes employment and no EAD card is required.
J-1 (Au pair)	An individual 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.
( pa)	May enroll in "post-secondary Institutions" while maintaining J-1 status as an

	au pair.
	Eligible to receive payment only from the host family or the program sponsor for child care services not to exceed 45 hours per week.
J-2	An individual in the U.S. as a dependent (spouse and unmarried children under the age of 21) of a J-1 student or scholar.
Dependents of J-1 visa holders	May engage in full or part-time study.
	Eligible to apply to the U.S.C.I.S. for work authorization. May work for any employer with EAD card. Employer must re-verify employment authorization after the expiration date on the EAD card.
K-1 Fiancé (e) of U.S. Citizen	Fiancé (e) or spouse of a U.S. citizen and their dependents.
K-2 Minor child of K-1	May engage in full or part-time study. K-1 and K-2 are eligible to apply to the U.S.C.I.S. for work authorization.
K-3 Spouse of a U.S. citizen (LIFE Act)	K-3 and K-4 may apply to the U.S.C.I.S. for an employment authorization document.
K-3 Child of K-3 (LIFE Act)	
L-1 Intracompany	An individual in the U.S. who has been transferred from a subsidiary, affiliate or branch office overseas to the U.S. to work in an executive, managerial or specialist capacity, and their dependents.
Transferee	L-1 may engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid L-1 visa status.
L-2	L-2 dependents may engage in full or part time study.
Dependents of L-1 visa holders	Permitted to be employed ONLY by the petitioning company through which the visa status was obtained for the period of time indicated by the U.S.C.I.S. Form I-797 authorize employment. And no EAD card is required.
	L-2 dependents are NOT permitted to work or receive payment from any U.S. source.
M-1	An individual enrolled in a vocational school or program in the U.S.
Vocational Student	Must study full-time; part-time study only if authorized by International Student Advisor.
	Permitted to be employed for practical training following completion of studies for a maximum of 6 months. Must apply for Employment Authorization Document from U.S.C.I.S. Employment must be related to his/her field of study and recommended by the Designated School Official. Employer must re-verify employment authorization after the expiration date on EAD card.

M-2	An individual in the U.S. as a dependent of an M-1 student.
Dependents of M-1 visa	May engage in full or part-time study.
holders	Not permitted to be employed or receive compensation from any U.S. source.
N-8  Parent of alien Classified SK-3 "Special Immigrant"	An individual in the U.S. as a member of the armed services of the nations of the North Atlantic Treaty Organization, staff members, attendants, servants and personal employees of NATO personnel.  May engage in full or part-time study while maintaining valid visa status. Payment limited to funds provided by NATO.
N-9 Child of N-8, SK-1, SK-2, or SK-4 " Special Immigrant" NATO 1-6	Dependents are eligible to apply for work authorization through U.S.C.I.S. and must be issued an Employment Authorization Document. Employer must re- verify after the expiration date of the EAD card.
NATO Personnel	
O-1 Persons of Extraordinary Ability	An individual of extraordinary ability in the sciences, arts, education, business or athletics, who is in the U.S. to work for a sponsoring employer or organization (O-1) and accompanying personnel (O-2).
O-2	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
Accompanying Personnel	May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. Form I-797 authorizes employment. No EAD card is required.
O-3	An individual in the U.S. as the dependent of an O-1 or O-2 visa holder.
Dependents of O-1 and	May engage in full or part-time study.
O-2 visa holders	Not permitted to be employed or receive compensation from any U.S. source.
P-1 Internationally Recognized Athletes or	An individual in the U.S. as an internationally recognized athlete, competing individually or as part of a team; OR an individual who performed as part of an entertainment group, which has been internationally recognized and their essential support personnel.
Entertainment Groups and members of their Essential Support	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
Personnel	May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. If the petition was submitted by an agent on behalf of several employers, all entities must have been included on the itinerary at the time of the U.S.C.I.S. approval of the

	application.
	аррисаногі.
	If a member of a group, may NOT perform services separate and apart from the entertainment group. Form I-797 authorizes employment and no EAD card is required.
P-2 Artist or Entertainer	An individual in the U.S. as an artist or entertainer, 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.
under a Reciprocal Exchange Program	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. If sponsored by an agent, must be on the itinerary at the time of the U.S.C.I.S. approval of the application. Form I-797 authorizes employment and no EAD card is required.
P-3 Artist or Entertainer in a Culturally Unique	An individual in the U.S. as an artist or entertainer, 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.
Program	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May be employed and compensated ONLY by the petitioning employer or agency through whom the visa status was obtained. If sponsored by an agent, all entities must have been included on the itinerary at the time of the U.S.C.I.S. approval of the application. Form I-797 authorizes employment and no EAD card is required.
P-4	An individual in the U.S. as the dependent of the holder of a P-1, P-2 or P-3 visa.
Dependents of P-1, P-2 or P-3 visa holders	May engage in full or part-time study.
	Not permitted to be employed or receive compensation from any U.S. source.
Q-1 International Cultural Exchange Visitor	An individual in the U.S. as a participant 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. (Also known as the Disney Visa)
•	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.
	May be employed and compensated only by the petitioning employer or agency through which the visa status was obtained. Form I-797 authorizes employment and no EAD card is required.
Q-2	Individuals 35 years of age or younger from Northern Ireland or certain counties within the Republic of Ireland coming temporarily to the U.S. for a period not to exceed 36 months to participate in a cultural and training
Irish Peace Process Cultural and Training	program for the purpose of practical training, employment and the experience of coexistence and conflict resolution in a diverse society.

Program (Walsh Visa)	
Q-3 Spouse or child of Q-2.	
R-1	An individual in the U.S. as a member of a bona fide religious denomination carrying out the activities of a religious worker.
Religious Worker	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid R visa status.
	May be employed and compensated only by the religious organization through whom the status was obtained. No EAD required.
R-2	An individual in the U.S. as the dependent of an R-1 visa holder.
Dependents of R-1 visa	May engage in full-time study.
holders	Not permitted to be employed or receive compensation from any U.S. source.
S-5 Informant of criminal organization information S-6	Individuals in the U.S. to provide critical information to federal or state authorities essential to the success of a criminal investigation. Or, individuals in the U.S. to supply such critical information who might be in danger for supplying this information and who are eligible for a reward under State Department legislation.
Informant of terrorism information	May study full or part time while maintaining valid visa status. An individual in S visa status may apply for employment authorization from the U.S.C.I.S. EAD is required for employment.
S-7 Dependents of these individuals	
T-1	Was a victim of a severe form of trafficking in persons.
Victim of a severe form	May engage in full or part-time study.
of trafficking in persons	Eligible to work incident to status.
T-2	Spouse of a victim of a severe form of trafficking in persons.
Spouse of T-1 visa	May engage in full or part-time study.
holder	Eligible to apply for work authorization.
T-3	Child of a victim of a severe form of trafficking in persons.
Child of T-1 visa holder	May engage in full or part-time study.
	Eligible to apply for work authorization.

T-4	Parent of a victim of a severe form of trafficking in persons (if T-1 victim is
1-4	under 21 years of age)
Parent of T-1 visa holder	May engage in full or part-time study.
	ivialy engage in rail of part time study.
	Eligible to apply for work authorization.
TN	An individual in the U.S. to perform services of a professional nature for a sponsoring employer in a specific position for a fixed period of time.
(Trade NAFTA) (for citizens of Canada and Mexico)	May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid TN visa status. TD dependents may study full or part time.
TD	Eligible to be employed and compensated only by the petitioning employer through whom the status was obtained in an activity in accordance with the
Dependents of individuals in TN visa classification	provisions of the treaty. Canadians require only an I-94 card as employment authorization. Mexicans require Form I-797. No EAD card is required. TD Dependents are not permitted to be employed in the U.S.
U-1	Victims of certain crimes.
Victim of a certain criminal activity	
U-2 Spouse of U-1	
U-3 Child of U-1	
U-4 Parent of U-1 if U-1 is under 21 years of age.	
V-1	Certain Second Preference Beneficiaries.
Spouse of an LPR who	May study full or part-time.
is the principal beneficiary of a family based petition (Form I-130) which was filed prior to 12/21/2000 and has been pending for at least 3 years V-2 Child of an LPR as described above V-3 The derivative child of a V-1 or V-2	Eligible to apply for work authorization from the U.S.C.I.S. EAD required for employment.

TPS Temporary Protected Status	TPS applies only to citizens of certain countries for a specific period of time as designated by the Attorney General. Beneficiaries are allowed to remain in the U.S. but TPS does not lead to permanent residence status.
	May study full or part-time.
	Employment authorization incident to status.