Greetings from ISS,  
April 10, 2020

This letter is intended for any students who have lost employment due to the COVID-19 pandemic. We understand that some of you relied upon your on-campus job, off-campus co-op, or OPT position to cover some of your living expenses. US Immigration regulations require individuals to show proof of adequate financial support to be granted a student visa. On-campus employment is sometimes listed on a form I-20 as anticipated support (but normally at a small fraction of the overall support). With this global pandemic affecting your job and possibly family support, we recognize the increased pressure this adds for some of you to seek employment or emergency aid. We’ve received many questions and have gathered some answers below. We’ll be in touch as we get more information. Please also check RIT’s main site that is being regularly updated: https://www.rit.edu/coronavirus/

Until then, keep your questions coming, stay safe, and remember that you are not alone. You can drop in for questions, or a chat any weekday with one of our team members during our virtual walk-in hours (scroll down to page 2 for meeting room number).

On-Campus student employees
If you lost an on-campus job, keep in touch with your supervisor, letting them know you’re eager to work when jobs re-open. You should also notify the Student Employment Office if you are interested in other on-campus or remote positions. (For safety reasons, there are very few on-campus student positions right now.)
More info: https://www.rit.edu/careerservices/student-employment-office

Co-op positions
Many of you have successfully transitioned to online work for your company and, if your company is seeking additional co-op students, please ask them to contact RIT’s Office of Career Services & Co-operative Education. If you have transitioned to online work, your employer’s address should not be updated because that address has not changed. We also do not require an updated employment offer letter. If your company ended your co-op early, please notify your academic department and update the co-op office. In most cases, your department will assign a final grade based on the work you completed. Your immigration status remains intact because we consider you to be enrolled for the full term – regardless of when your work assignment ended. Contact ISS if you need us to shorten your CPT. (If this was your final co-op, that’s not necessary. If you plan to engage in future co-ops, please request that we shorten your CPT.) More info: https://www.rit.edu/coronavirus/co-op

OPT/STEM positions
Laid off or terminated
If your employer formally ends all employment relationships with you, then you must update your SEVP portal with your final employment end date. Do that no later than 10 days after your employment officially ends.

Furlough
If you are “furloughed”, we do not recommend that you report that as unemployment. We base this recommendation on the following. A furlough is not a termination, but rather, it is your employer reducing your hours to part time or zero on a temporary basis. You still maintain the employment relationship and your hours may be increased at some point in the future. While on
furlough, if you find another job, then give notice to your current employer and update your SEVP portal once you have begun your new employment. However, depending upon the state rules, you still may be able to apply for government unemployment benefits while on furlough. See discussion on benefits below.

**Counting Days of Unemployment during OPT**
You are allowed up to 90 days of unemployment during your first year of OPT (if granted STEM OPT, that limit is raised to an aggregate/total of 150 days, applied to the entire period of standard OPT and STEM OPT). If you reach the maximum amount of unemployment, and you are unable to depart the US because of COVID-19 travel restrictions, please maintain documentation showing when the travel restrictions were lifted and your efforts to travel home at that time. We do not expect you to be penalized during applications for future US visas, but you might be asked to show proof of your efforts to comply with the rules and the travel restrictions that temporarily blocked your timely departure.

**I'm experiencing financial hardship. What resources are available?**

1) **Trouble paying rent** - Call your landlord to re-negotiate your rent. If you've lost your job, some landlords are allowing partial rent reductions or deferrals (For renters, New York has [issued a 90-day moratorium](https://www.campaignforjustice.org/news/king-street-rent-stabilization-program-extension) on all evictions due to the coronavirus.) You might also be able to delay/defer other bills such as internet/cable, car insurance, etc. by calling providers.

2) **RIT FoodShare** - You now must make advance reservations through CampusGroups at [https://campusgroups.rit.edu/FoodShare](https://campusgroups.rit.edu/FoodShare)

3) **Off-campus food aid through Foodlink and Monroe County** - Call 2-1-1 or text 898-211 to reserve a food bank pickup time/location. Also search for “Soup Kitchen” or “Food Pantry” near me and follow instructions. Most now require advance reservations.

4) **Financial aid/loan forgiveness programs** in your home country.

5) **Bank Loans** - Your bank may offer loans to cover living expenses and some are waiving late fees.

**Applying to USCIS for an EAD (Employment Authorization Document) based on Severe Economic Hardship**
USCIS has a fairly high bar to prove you are suffering from unforeseen and severe economic hardship. But if you feel you can make a good case with supporting documentation we can facilitate your application for an Employment Authorization Document (EAD) from USCIS. There is a $410 application fee. If you are unable to pay the fee for a USCIS service or benefit, you may request a fee waiver for certain forms by filing [Form I-912, Request for Fee Waiver](https://www.uscis.gov). The EAD based on Severe Economic Hardship would grant you the ability to work off campus. Please note that this application often requires at least three months to be approved and may currently take longer. Therefore, we recommend instead that you pursue CPT or OPT. Some other special situations are discussed on the USCIS page below: [https://www.uscis.gov/humanitarian/special-situations](https://www.uscis.gov/humanitarian/special-situations)

**Filing for government unemployment assistance**
ISS has reached out to a trusted immigration attorney and his feedback to us was that if you have lost your job through no fault of your own, you may apply for unemployment assistance from the state in which you reside. New York State may find you eligible for some assistance, but not all states will. All states are currently overwhelmed with applications, so you will need to be patient and keep trying. Follow the latest rules about contact. See this article on NYS Department of Labor for more details: [https://bit.ly/2VcQln6](https://bit.ly/2VcQln6)
Are unemployment benefits considered “Public Charge”

You might have read news stories this year about the US federal government restricting people from “adjusting status” (such as from F-1 to H-1b, or to Lawful Permanent Residency) and tighter restrictions against approving such changes if the applicant is considered to have been a “public charge”. That means someone who relied on public (government) assistance while in the U.S. So, you should also be careful not to be deemed a public charge as it could restrict future visa applications.

It is also our understanding from the attorney we consulted that per the USCIS policy manual, unemployment benefits are not considered toward the “public charge” assessment. So, they would not be held against you. Excerpt below:

Source: https://www.uscis.gov/policy-manual/volume-8-part-g-chapter-10

B. Public Benefits Not Considered

1. Unenumerated Public Benefits

The following is a non-exhaustive list of public benefits that USCIS does not consider in the public charge inadmissibility determination as they are considered earned benefits: Unemployment benefits & Worker’s compensation

Some additional information on Public Charge (SPECIFIC TO COVID-19)

In addition, if an alien subject to the public charge ground of inadmissibility lives and works in a jurisdiction where disease prevention methods such as social distancing or quarantine are in place, or where the alien’s employer, school, or university voluntarily shuts down operations to prevent the spread of COVID-19, the alien may submit a statement with his or her application for adjustment of status to explain how such methods or policies have affected the alien as relevant to the factors USCIS must consider in a public charge inadmissibility determination. For example, if the alien is prevented from working or attending school, and must rely on public benefits for the duration of the COVID-19 outbreak and recovery phase, the alien can provide an explanation and relevant supporting documentation. To the extent relevant and credible, USCIS will take all such evidence into consideration in the totality of the alien’s circumstances.

Source: https://www.uscis.gov/greencard/public-charge?fbclid=IwAR2fcYXTIQ8NMxMsTlT-9aJT_AKT-hT-JpsNDCKjhnvEAmYwMQT_7iuosA

Bottom line, it is our understanding that you are allowed to apply for unemployment benefits – certainly while this current COVID-19 crisis is ongoing in the U.S.

I’m still feeling overwhelmed and stressed or anxious about all this. What can I do?

1) Seek Counseling & Psychiatric Services including daily online drop in hours and after-hours emergency counselors.
2) Get career counseling through RIT’s Career Services & Cooperative Education.
3) Connect with the staff at Spirituality & Religious Life.
4) Immigration advising through ISS, including daily online drop in hours.
5) Connect with others. For some suggestions, see RIT’s Virtual Student Life.
6) Continue networking with classmates, faculty, professional associations, home government support, friends and family members around the globe.
7) Take breaks to care for yourself. Breathe. Walk. Rest. Recharge. Then, try again. We are all in this together and we will get through this.

Sincerely,
Jeff, Shawna, Sue, Erica, Claire & Terry
www.rit.edu/iss