

# Exchange Visitors: Incidental Employment for Professors and Research Scholars

**Disclaimer:** This handout is designed for J-1 Visiting Professors/Research Scholars and explains your eligibility for incidental employment, including application procedures. KGI OISS has prepared this guide to provide you with general guidance. However, any advice provided to you by our office, as well as the information in this document, should not be construed as legal advice.

## Your J-1 Responsible Officer (RO)

To work for any employer other than the school named on your Form DS-2019, you must first obtain approval in writing from your J-1 Responsible Officer (RO), who represents your J-1 sponsor and issues your DS-2019 form(s). The RO must evaluate the proposed employment in terms of your program objectives and your individual circumstances, and then decide whether it authorizing employment is appropriate. If Keck Graduate Institute is not your sponsor, and if you are uncertain how to reach your RO, the Office of International Students and Scholars can help you identify this individual, but has no authority to grant employment permission.

## Conditions for Incidental Employment

The proposed employment:

- 1) Must be directly related to the objectives of your Exchange Visitor program;
- 2) Must be incidental to your primary program activities; *and*
- 3) Must not delay the completion of your Exchange Visitor program.

## Applying for Incidental Employment Authorization

1. To obtain authorization for incidental employment, you should present the following to your RO:
2. An offer from the prospective employer describing the terms and conditions of the proposed employment, including the duration, the number of hours, the field or subject, the amount of compensation, and a description of the activity for which you are being hired.
3. A letter from your department head or supervisor:
  - a. Confirming that the employment is directly related to your principal activity, is indeed incidental, and will not delay completion of your program;
  - b. Explaining how the proposed activity would enhance your Exchange Visitor program;  
*and*
  - c. Recommending approval of the employment.

### **Authorization to Work**

If your RO approves the incidental employment authorization request, you will receive the employment authorization in writing. If you will not have a sustained employer-employee relationship with the person or institution paying you (i.e. the nature of the work is short-term or one-time) then this letter – which your employer may ask to see, and which you should **permanently keep** in your records – will act as your official work authorization, and you must ensure to be hired as an independent contractor (do not complete a Form I-9 with the employer).

If the incidental employment is sustained, for example, if you will be teaching a course at another school that lasts an entire term, then your authorization will be a new Form DS-2019, issued by your present RO, showing the name of the employer (as well as the institution of your principal affiliation), and the amount you will be paid.