Incidental Employment for J-1 Scholars

What is Incidental Employment?

**Incidental Employment** is employment that is secondary to an Exchange Visitor’s (EV’s) primary objective. If authorized, EV’s, specifically Research Scholars and Professors, may participate in occasional lectures and short-term consultations. The purpose of such lectures and consultations must be incidental (secondary) to an EV’s primary program activities.

General Guidelines for Incidental Employment:

- As an EV, you are allowed to participate in occasional lectures and short-term consultations. The term “occasional” illustrates the view of single events rather than an ongoing activity. To ensure that “occasional lectures or short-term consultations” do not interfere with and are in alignment with the activities of the EV’s program, they must:
  - Be directly related to the objectives of your Exchange Visitor Program.
  - Be incidental (secondary) to your primary program objectives.
  - Not delay the completion date of your program.
  - Be documented on your DS-2019/SEVIS record.

- Compensation is allowed. If you receive compensation for such activities, you must act as an independent contractor as defined in 8 C.F.R. § 274a.1(j), and you must present the following to ISSS:
  - A letter from your prospective employer providing the terms and conditions of the lecture or consult including the duration, number of hours, field or subject, amount of compensation, location of employment, description of such activity; and
  - A letter from your department chair, PI, or supervisor at the University of Utah recommending such activity and explaining how it would enhance your EV program.

- Incidental employment must be approved in advance of any incidental employment activity. If approved, ISSS will provide a written “determination” letter authorizing the short-term lecture or consultation and issue a new DS-2019. Please note that if the incidental employment interferes or delays your primary objective, your immigration status will be in jeopardy.

How to apply for Incidental Employment:

Please submit an Incidental Employment E-form using the iStart link found at www.isss.utah.edu. Please be prepared to submit the following information in the E-form:

- A copy of your most current DS-2019.
- A signed letter from your prospective employer including the information mentioned above
- A signed letter from your department chair, PI, or supervisor including the information mentioned above