

## Incidental Employment for J-1 Scholars

### What is Incidental Employment?

**Incidental Employment** is a period of temporary employment that is **secondary** to an Exchange Visitor's (EV's) primary objective. If authorized, EV's in the **Research Scholar and Professor** category, 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 goals and objectives.

### General Guidelines for Incidental Employment:

- As an EV, you are allowed to participate in **occasional lectures** and/or **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 your EV 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 of your program.
  - Be documented on your DS-2019 and/or in your 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 must **present the following** to International Student and Scholar Services (ISSS):
  - A letter from your **prospective employer** providing the terms and conditions of the lecture or consultation including the duration, number of hours, field or subject, amount of compensation, location of employment, and description of such activity.
  - A letter from your **Department Chair, PI, or faculty 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 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 adversely impacted.

### How to apply for Incidental Employment:

Submit an **Incidental Employment** E-form through [UAtlas](#), and be prepared to provide the following information when completing the E-form:

- Copy of your most current DS-2019.
- Signed letter from your prospective employer including the information mentioned above.
- Signed letter from your University of Utah Department Chair, PI, or supervisor to include the information mentioned above.

**Disclaimer:** International Student & Scholar Services provides support and information related to U.S. immigration laws and regulations related to F and J status. ISSS staff are not attorneys and any information provided by us should not be construed as legal advice. Individuals are welcome to consult a qualified immigration attorney for specific legal advice, particularly in complicated cases. For a list of local Utah attorneys please visit our website [here](#).