

## Guidelines: Supplemental Compensation and Other Professional Services (OPS) for Foreign Nationals

### Overview

An employee's immigration status directly affects their eligibility to receive supplemental compensation or perform Other Professional Services (OPS). These guidelines apply to foreign national employees whose employment-based immigration matters are sponsored by the University of Arizona, regardless of whether the case is handled by the International Faculty and Scholars (IFS) Office or outside immigration counsel.

All visa-related questions and requests must be directed to the International Faculty and Scholars (IFS) Office at [uaifs@arizona.edu](mailto:uaifs@arizona.edu).

To ensure compliance, units must obtain IFS review and approval **before** an employee begins any additional duties or work that may result in supplemental compensation or OPS. **Do not assign or authorize additional duties until the required immigration review and approval have been completed.**

### Which visa types are affected?

These guidelines primarily apply to employees holding the following nonimmigrant statuses:

- J-1 Exchange Visitors
- H-1B Specialty Occupations
- TN NAFTA Professionals
- O-1 Individuals with Extraordinary Ability

Students with employment authorization or other visa types that are not sponsored by the U of A do not need to be reviewed by IFS. Please contact International Student Services (ISS) and/or Office of the General Counsel.

### Key Compliance Rules

- **Scope of Authorization:** H-1B, J-1, O-1, and TN statuses are employer, position and duty-specific. The approved immigration petition authorizes a strictly defined set of job responsibilities for a specific department.
- **Permissible Supplemental Work:** Generally, foreign national employees may receive supplemental compensation only when the additional work is substantially similar to the core duties described in their approved visa petition. (Example: A professor receiving supplemental compensation to teach a summer course within their same academic discipline.)
- **Prohibited Work:** Performing work for a different department or engaging in duties that deviate from the original petition, may violate federal regulations unless explicitly

authorized by U.S. Citizenship and Immigration Services (USCIS) or certified via a Department of Labor (DOL) Labor Condition Application (LCA).

- **Amendments Required Prior to Work:** If an employee is assigned additional or materially different job duties outside the scope of their current petition, a visa amendment or other formal immigration action may be required. **Employees must not begin any additional work** until IFS completes its review and any required legal amendments are filed and/or approved.

Failing to adhere to federal immigration regulations places both the University of Arizona and the foreign national employee at significant legal and compliance risk, including potential loss of legal status or institutional penalties.

### **Process**

Before processing a supplemental compensation or OPS request for a foreign national employee:

1. Submit the request to International Faculty and Scholars (IFS) via [MyGlobal](#) for review. Have the following information ready to input:
  - Exact start and end dates of the additional work
  - Estimated total hours and weekly commitment
  - Funding source(s)
  - Detailed description of the proposed supplemental compensation or OPS duties
2. Wait for IFS to confirm that the proposed work complies with the employee's authorized immigration status. The estimated turnaround time is 3-5 business days.
3. Attach the formal IFS email approval to the supplemental compensation or OPS transaction in MSS before routing it for final approval.