

Host Employer Handbook



Contents

| | |
|--|-----------|
| Chapter 1 - Welcome to InterExchange Career Training USA | 3 |
| Chapter 2 - About Us | 4 |
| About InterExchange | 4 |
| Other InterExchange Programs | 4 |
| The Goals and Objectives of the J-1 Intern/Trainee Exchange Visitor Program | 5 |
| Chapter 3: Participant Rights, Protections, Understanding | 6 |
| Chapter 4 - Important Program Documents | 8 |
| DS-2019 Form (Certificate of Eligibility For Exchange Visitor (J-1) Status) | 8 |
| DS-7002 Form (Training/Internship Placement Plan) | 8 |
| The J-1 Visa | 8 |
| Chapter 5 - Arriving in the USA | 10 |
| Clearing Customs and Border Protection | 10 |
| Entry to the U.S. | 10 |
| Chapter 6 - SEVIS | 11 |
| Helping Participants Keep SEVIS Records Accurate | 11 |
| Chapter 7 - Compensation | 12 |
| Additional Employment | 12 |
| Pay Increases & Promotions | 12 |
| Employee Benefits | 12 |
| Chapter 8 - Insurance | 13 |
| Accident & Sickness Insurance | 13 |
| Employer Insurance | 13 |
| Workers' Compensation | 13 |
| Affordable Care Act (ACA) | 13 |
| Chapter 9 - Social Security Numbers & Taxes | 14 |
| Social Security Numbers | 14 |
| Tax Information | 14 |
| I-9 Form | 14 |
| W-4 Form | 14 |
| FICA and FUTA Withholdings | 14 |
| How to Complete the W-4 Form | 15 |
| Tax Refunds | 15 |
| W-2 Form | 15 |
| Filing Form 1040NR-EZ | 15 |
| Chapter 10 - Paperwork and Testing | 16 |
| Chapter 11 - Important Program Considerations | 17 |
| International Travel | 17 |
| Traveling abroad with an expired visa: | 17 |
| Traveling abroad for business or personal travel with a valid visa: | 17 |
| Termination/Quitting the Internship or Training Program | 17 |
| Program Extensions | 18 |
| Repeat Participation in the Internship and Training Program | 18 |
| Two-Year Foreign Residency Requirement | 19 |
| Change of Status | 19 |
| After the Program | 19 |
| Chapter 12 - Health, Safety, and Welfare and Handling Major Emergencies | 20 |
| Avoiding Exploitative Behavior | 20 |
| Precautions | 20 |
| Natural Disasters and Other Major Emergencies | 20 |
| Chapter 13 - Cultural Exchange | 21 |
| Helping Participants Gain a New Understanding of the USA | 21 |
| Culture Shock | 21 |
| Chapter 14 - Tips for a Successful Program | 23 |

Chapter 1 - Welcome to InterExchange Career Training USA

Thank you for your decision to host an international intern or trainee and participate in the InterExchange Career Training USA program. InterExchange brings more than 40 years of experience, as well as knowledge and enthusiasm, to the world of international cultural exchange, and we look forward to working with you throughout the program.

As a host employer, you play a very important role in ensuring that the goals and objectives of the J-1 Intern/Trainee exchange visitor program are met. Your international intern/trainee will be looking to you for guidance, support and mentorship during his or her program in the USA. At the same time, we hope that you and your U.S. employees will enjoy this opportunity to engage in an exceptional cultural exchange experience with your international participant, learning about the culture, customs, and business practices of his or her country.

We encourage you to keep in touch with us throughout the program and let us know how we can provide the best learning opportunity possible to you, your international intern or trainee and your U.S. employees. You are welcome to call or visit us anytime during normal business hours—M-F, 9:30 a.m. - 5:30 p.m. EST. We are also prepared to assist you outside normal hours should an emergency arise. Remember to keep us updated about any changes to your email address or phone number so you can be sure to receive important program-related updates. We also encourage you to visit our Employer Resource Center for additional information about the program:

www.InterExchange.org/career-training-usa/hire-intern-trainee/employer-resources

Welcome to InterExchange Career Training USA. We wish you a very successful program.

Keep in Touch!

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www.InterExchange.org/career-training-usa



www.facebook.com/InterExchange



twitter.com/InterExchange



blog.InterExchange.org/career-training-usa

Chapter 2 - About Us

About InterExchange

InterExchange is a nonprofit organization with more than 40 years of experience dedicated to promoting cultural awareness through a wide range of affordable and exciting work & travel, professional training, internship, au pair, camp, language learning and volunteer programs within the U.S. and abroad. InterExchange is designated by the U.S. Department of State to sponsor the J-1 Visa for people from around the world who would like to engage in cultural exchange by visiting the U.S. for a defined period of time. We also connect U.S. and Canadian citizens with work and volunteer opportunities that enable them to learn about life in other countries.

We encourage all our participants and professional colleagues to learn about The Fulbright-Hays Act of 1961, also known as the Mutual Educational and Cultural Exchange Act of 1961. This important act enables the Government of the United States to:

- ▶ increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange;
- ▶ strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world;
- ▶ promote international cooperation for educational and cultural advancement; and thus assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

Our J-1 Visa participants and their hosts must follow all regulations set forth by the U.S. Department of State and maintain contact with InterExchange throughout their selected programs. We guide international visitors to best take advantage of the cultural opportunities offered by their local host communities in the U.S. Similarly, we encourage U.S. host families and employers to promote cultural learning by introducing international visitors to uniquely American values, customs, history and activities while simultaneously learning about the countries and cultures of visiting participants. Strengthening these relationships makes achieving the goals of mutual cultural exchange possible and allows us to build a global community—one person at a time.

InterExchange Career Training USA assists international students and young professionals, ages 18-38, with J-1 Visa sponsorship for internships and practical training programs in the U.S. Candidates may apply for the J-1 Intern or Trainee Visa if they have already secured an appropriate position in the U.S. International students and recent graduates may apply as Interns and pursue an internship for up to 12 months in a field related to their academic field of study. International working professionals may apply as Trainees and pursue training programs for up to 18 months in a field related to their occupational background. To be eligible, participants' education and work experience must have been earned outside the U.S.

Other InterExchange Programs

Au Pair USA is a 12-month program that gives young people, ages 18-26, the opportunity to experience the U.S. by living with an American host family and providing child care. In return for their services, au pairs receive room, board, a weekly stipend, accident and sickness insurance, airfare and an educational allowance to use toward college-level courses. This program can be extended for an additional 6, 9 or 12 months after successfully completing the original 12-month program.

Camp USA places international participants, ages 18-28, in U.S. summer camps in counselor or support staff positions. InterExchange also sponsors visas for returning staff or for participants who have found their own camp jobs. The Camp Counselor J-1 Visa is a 4-month visa. The InterExchange Camp USA program runs between May 1st and October 15th during the program year.

Work & Travel USA offers international university students ages 18-28 the opportunity to live and work in the U.S. for up to 4 months during their breaks from university classes. Students work in seasonal and temporary positions in hotels, inns, amusement parks, national parks, retail stores and ski resorts, among other types of businesses. They receive a wage, assistance with housing, accident and sickness insurance, program support and an optional month for travel to explore the United States. Work & Travel USA also offers a 12-month program for citizens of Australia and New Zealand.

Working Abroad enables U.S. citizens, generally ages 18-30, to build diverse work experiences overseas. Opportunities include Au Pair, English language instruction, work and travel, and volunteer abroad placements. We offer programs in Australia, Africa, Asia, South America and numerous European countries.

The InterExchange Foundation was established in 2007 to provide grant funding to motivated young Americans who contribute to worthy work or volunteer projects abroad. The Working Abroad Grant supports participants of select InterExchange Working Abroad programs, and the Christianson Grant supports individuals who have sought out and arranged their own long-term work

abroad programs. Many students study abroad every year, but far fewer take advantage of the opportunity to work, intern or volunteer overseas. By providing financial assistance to talented candidates, we encourage young Americans to discover and contribute to the world and benefit from the unique and enriching insights one can only gain from living and working abroad.

The Goals and Objectives of the J-1 Intern/Trainee Exchange Visitor Program

Per the program regulations, the primary objectives of the programs offered under these regulations are to enhance the skills and expertise of exchange visitors in their academic or occupational fields through participation in structured and guided work-based training and internship programs, and to improve participants' knowledge of American techniques, methodologies, and technology. Such training and internship programs are also intended to increase participants' understanding of American culture and society and to enhance Americans' knowledge of foreign cultures and skills through an open interchange of ideas between participants and their American associates. A key goal of the Fulbright-Hays Act, which authorizes these programs, is that participants will return to their home countries and share their experiences with their countrymen.

Chapter 3: Participant Rights, Protections, Understanding

InterExchange makes it a priority to ensure that all our participants enjoy a safe, healthy and well-monitored cultural exchange experience in the U.S.

The following information describes a baseline for conduct that our participants can expect from InterExchange and their hosts as well as their responsibilities during their visits to the United States through InterExchange programs. We're happy to say that the majority of our participants and hosts regularly make an extra effort beyond these standards to create a truly memorable, life-changing cultural exchange experience for everyone involved.

During Their Programs, InterExchange Participants Can Expect:

- ▶ A safe, healthy and legal work environment.
- ▶ A safe, healthy and legal living situation.
- ▶ Opportunities to interact with Americans on a regular basis.
- ▶ Protection of their legal rights under United States immigrant, labor, and employment laws.
- ▶ Fair treatment and payment practices.
- ▶ Right to keep passport and other documents in their possession.
- ▶ Right to report abuse without retaliation.
- ▶ Right to contact the J-1 Visa Emergency Helpline of the U.S. Department of State.
- ▶ Right not to be held in a job against their will.
- ▶ Right to end their programs and return to their home countries.
- ▶ Right to request help from unions, labor rights groups and other groups.
- ▶ Right to seek justice in U.S. courts if warranted.

Participants Can Also Expect the Following Support From InterExchange Throughout Their Programs:

- ▶ Emergency assistance 24 hours every day. Career Training USA emergency line: 917.373.0994
- ▶ Serving as a reliable resource for general information.
- ▶ Resources and guidance to help them engage in cultural learning and American daily life.
- ▶ At a minimum, monthly contact and monitoring.
- ▶ Vetting and conducting due diligence to verify each host employer or host family.
- ▶ Available staff with extensive international experience and language skills.
- ▶ Available staff who can provide support for special situations if needed.
- ▶ Acting as a neutral advocate to help resolve any disputes that occur.
- ▶ Accident and sickness insurance that meets or exceeds J-1 Visa regulatory requirements.

Participants in Our Programs Acknowledge That:

- ▶ The primary purpose of InterExchange cultural exchange programs is to interact with U.S. citizens, practice the English language, travel and experience U.S. culture while sharing their culture with Americans.
- ▶ They will abide by the laws of the United States.
- ▶ They will abide by all rules and regulations applicable to U.S. Department of State Exchange Visitor programs.
- ▶ They have not come on a J-1 Visa program seeking permanent residency or employment in the U.S.
- ▶ They are expected to follow the guidelines of employment provided by their host employer or host family.
- ▶ InterExchange is their visa sponsor. A U.S. host employer or host family is not a visa sponsor.
- ▶ Any wages earned during the programs are only meant to help defray living expenses during the programs. Earning money is not the primary purpose of cultural exchange programs.
- ▶ Host employers and families may terminate their employment relationship with participants.

- ▶ Host employers and families do not have the authority to cancel the J-1 Visa. Only the U.S. government or InterExchange has that authority.
- ▶ They must contact InterExchange in the event of an emergency or if any problems occur during the program.
- ▶ They will respond to all requests and inquiries sent from InterExchange.
- ▶ They are required to leave the United States at the end of their programs.

Chapter 4 - Important Program Documents

Our Career Training USA program participants will receive an acceptance package from InterExchange which includes important information and documents they will need to apply for the J-1 Visa and to prepare them for their stay in the U.S. As a host employer, it is important for you to know about three of these documents and how they affect your relationship with the intern/trainee.

DS-2019 Form (Certificate of Eligibility For Exchange Visitor (J-1) Status)

The DS-2019 Form is a U.S. government document that permits individuals to intern or train with a U.S. company.

The DS-2019 Form:

- ▶ Serves as proof of sponsorship for the J-1 Visa
- ▶ Identifies InterExchange as the program sponsor
- ▶ Describes the purpose of the program
- ▶ States the time period that the participant is legally permitted to intern/train in the U.S.

The participant is only allowed to intern or train with a valid DS-2019 Form and only during the dates listed in Section #3 of his or her form. Although the participant may only intern or train within these dates, he or she may enter the U.S. up to 30 days prior to the program begin date. The participant may legally remain in the U.S. for up to 30 days after the program end date (known as the grace period), unless otherwise specified, but he or she may NOT continue to intern/train with you during this time.

DS-7002 Form (Training/Internship Placement Plan)

The DS-7002 Form is a U.S. government document that includes a description of the internship or training program. You wrote and signed this document with the understanding that these are the tasks, activities, and objectives you intend to offer to the participant. It is absolutely essential that you follow this plan closely. Failure to do so is a violation of federal program regulations and may result in program termination. If anything in the plan needs to be changed, either now or once the program has begun, you must discuss this with InterExchange prior to making any changes to the plan. Any changes must first be documented in a revised training plan that must be signed by you, the intern/trainee, and InterExchange before the changes may officially be put in place.

The J-1 Visa

Once you and the intern/trainee are approved to participate in the J-1 Intern/Trainee program and the participant has his or her DS-2019, the participant may then go to the embassy/consulate to apply for the J-1 Visa, a sticker that is added to the participant's passport by a U.S. Embassy or Consulate in his or her home country (with the exception of Canadian citizens who are not required to obtain a visa and may travel with the DS-2019 alone). The participant cannot obtain a J-1 Visa within the U.S.; it must be obtained in his or her home country.

Though InterExchange certifies eligibility to participate in the program, only an embassy or consulate can issue the J-1 Visa. InterExchange has no control over the decisions of the consular officials. Though rare, a visa denial can sometimes occur. If this is the case, the participant may wish to apply again. He or she should be prepared with any information that the consular official indicated was missing or insufficient during the first attempt. If the participant is denied a visa, please contact us immediately to discuss the situation and help you both to determine whether to try applying again.

If the participant receives a J-1 Visa, he or she will be able to travel to the U.S. The J-1 Visa allows the participant to enter the U.S. when it is presented with the DS-2019 Form at U.S. Customs & Border Protection upon arrival. It is generally valid for one, two or multiple entries into the U.S., and it has an expiration date, which may or may not be the same as the program end date.

The Intern/Trainee J-1 Visa (together with the DS-2019 Form) allows the participant to:

- ▶ Intern/Train in the U.S. during the dates listed on the DS-2019 Form
- ▶ Apply for a Social Security number

This visa does not allow the participant to:

- ▶ Perform unskilled labor or provide medical patient or child care
- ▶ Extend his or her work eligibility or program participation past 12 months for interns or hospitality trainees past 18 months for all other trainees
- ▶ Intern/train for more than one host employer at the same time
- ▶ Intern/train for fewer than 32 hours a week or perform more than 20 percent clerical work

The J-1 Visa is what allows the participant to enter the U.S. The expiration date on the J-1 Visa is the last day he or she may **enter** the U.S.—not the last day the participant can intern/train with your organization. The program end date on the DS-2019 Form is the last day he or she may be employed as an intern/trainee.

Chapter 5 - Arriving in the USA

Once the participant has a J-1 Visa, he or she will be ready to travel to the U.S. However, the participant may not arrive in the U.S. more than 30 days prior to the program start date. If he or she enters the U.S. more than 30 days before the start date, the participant may not receive the entry/exit stamp that corresponds to the J-1 Visa, or the customs official may deny him or her entry into the U.S.

Clearing Customs and Border Protection

Upon arriving, the participant will immediately go to Customs and Border Protection (CBP) to request admission to the U.S. At the border, he or she will be entered into a United States Citizenship and Immigration Services (USCIS) database and may also be fingerprinted and photographed. To learn more about U.S. arrival procedures, visit: www.cbp.gov/xp/cgov/travel/clearing

Entry to the U.S.

Once CBP's inspection is complete, the officer will stamp the participant's passport to record their entry.

The stamps show the place and date of the participant's admission to the U.S. and the time frame he or she is authorized to stay in the U.S. The officer should write the letters "D/S"; this means "Duration of Status." The duration of status includes the program dates listed on the DS-2019 Form, plus 30 days of travel/personal time immediately after the program end date. In most cases, the U.S. Department of State grants participants a 30-day period to settle their affairs and to travel within the U.S. after the program ends, called the grace period. However, the participant is NOT permitted to continue interning/training during this time. The grace period begins the day after the program end date on the DS-2019 Form, and the participant must exit the U.S. by the 30th day of the grace period in order to complete the program in good standing. Though rare, the officer may write an actual date instead of D/S. This is the date by which the participant is required to leave the U.S. Note: If the date is before the program end date, the participant must end the program early and leave the U.S. by this date.

It is rare for J-1 Visa holders to encounter difficulties when crossing the U.S. border. However, if the participant is agitated, acts suspiciously or if he or she is missing any documents, CBP officials may detain the participant for further questioning. If he or she does not have the DS-2019 Form available, the participant may be detained and may also be flagged in the computer system, thus causing delays on future trips to the U.S. A missing DS-2019 Form may also cause the CBP official to deny the participant entry into the U.S.

The best way to assure a smooth entry is to have all of the appropriate forms completed and ready to present to CBP, be friendly and patient in line and with the CBP official, and answer their questions honestly. If the participant contacts you from the border because they have encountered any difficulties, please contact us immediately or ask the participant or CBP officer who contacts you to notify us so that we can assist with finding a resolution.

Chapter 6 - SEVIS

All program participants must contact InterExchange Career Training USA within 10 days of arriving in the U.S. to register with the Student and Exchange Visitor Information System (SEVIS). If the participant does not send his or her information to us, he or she will not be permitted to remain in the U.S. Also, the participant cannot apply for a Social Security number until his or her record has been activated in SEVIS. If the participant does not confirm his or her arrival with InterExchange, the person's program will change to "No Show" status in SEVIS and the record will be deactivated. There is a \$233 fee to reactivate a SEVIS record. Note: The participant's SEVIS record cannot be activated before coming to the U.S.—he or she must contact us immediately after arriving.

Helping Participants Keep SEVIS Records Accurate

As a host employer, your organization name and address will also be listed in SEVIS as the participant's site of activity. This tells the U.S. government where the participant will be interning/training throughout the program. Under no circumstances may you move the participant to a different site of activity without first requesting permission in writing from InterExchange Career Training USA. Similarly, if your business address, phone number or email address changes, you must notify us within 10 days of the change.

If your intern/trainee quits or if you terminate his or her program, you must contact InterExchange Career Training USA immediately. The participant is required to intern/train for the entire duration of the program. If he or she quits or is terminated from the internship/training program, the participant will have 30 days to locate a new host employer and complete the Change of Host Application. If the participant is unable to secure a new host employer, his or her program will be ended in SEVIS, and he or she will be required to return home.

Note: You will also be contacted throughout the program by InterExchange Career Training USA, asking you to verify all of the information we have on file. You must respond to each communication within 10 days or you will not be permitted to host interns or trainees on the program. Maintaining accurate SEVIS information is essential, as is responding to all communications sent from InterExchange Career Training USA.

Chapter 7 - Compensation

Internships may either be paid or unpaid. Unpaid programs may not exceed six months in program length, and shorter programs will only be considered on a case-by-case basis. For any unpaid programs, please ensure that the internship/training program you are offering meets the Department of Labor's Six Criteria for unpaid internships:

www.dol.gov/whd/regs/compliance/whdfs71.htm. Trainees must always be paid at least minimum wage.

The stipend you listed on the training plan (DS-7002) is the amount you must **guarantee** to provide your intern/trainee during his or her program. It is strongly recommended that any amount paid is equal to or more than the minimum or prevailing wage in your area. If you have been approved to participate in our program but do not meet the Department of Labor criteria for hosting an unpaid internship, you must pay at least the minimum wage. You may also offer to cover housing, transportation and/or meals as part of the participant's overall compensation package. Any benefits such as these that cannot be documented on the DS-7002 Form should be put into a written agreement with the participant to eliminate any miscommunication. Deductions from compensation must be made in accordance with labor laws.

If you are unable to offer housing but wish to offer some assistance to your intern/trainee, please visit our housing guide at www.InterExchange.org/ct-housing. We generally recommend that participants secure temporary housing in a hostel or hotel so that they can look for permanent housing after they have arrived in the U.S. Any recommendations or assistance you can provide to help facilitate this process will allow the participant to acclimate to life in the U.S. much more quickly.

Additional Employment

If the participant is unable to support him or herself financially throughout the program, you may wish to offer additional compensation or the participant will need to withdraw from the program.

Important: Under no circumstances are participants permitted to seek additional employment while in the U.S. Please do not encourage the participant to seek a second job to supplement his or her income. Working anywhere else besides your organization is strictly prohibited and is a very serious violation of the terms of the visa. The participant's program will be terminated and he or she may not be allowed to return to the U.S. in the future if he or she violates this rule.

Pay Increases & Promotions

In some cases, you may wish to offer the participant a raise or provide them with more advanced training if you feel that he or she has exceeded expectations. This is up to you to decide. In the event that you would like to add new responsibilities to the internship or training plan, InterExchange must first approve these responsibilities and a new DS-7002 Form will need to be created. The participant must also agree to the changes. Remember, though, this is a training program and should not be used as a substitute for ordinary employment. Any advanced training offered should be for the benefit of the intern/trainee because they have demonstrated an ability to meet their tasks and objectives sooner than anticipated—it should not be offered to enable you to fill a labor need or serve as ordinary work.

Employee Benefits

Before the participant arrives, you should discuss issues such as overtime, vacation time, sick time and paid holidays so that the participant will understand how these things may affect his or her pay, if applicable. There is nowhere to explain this type of information on the DS-7002 Form, so it is highly recommended that you discuss this in advance and put this information in an official letter.

Please keep in mind, though, that this is first and foremost a cultural exchange program. It is important to be fair to the participant with regard to offering vacation and sick time so that he or she will have some time to experience life in the U.S. without having to worry about being penalized financially. Some paid vacation time, even if you are paying the participant hourly, should be offered to the participant so that the cultural exchange objectives of the program can be met both inside and outside the workplace.

Note: It is not necessary for employers to offer participants health insurance, as all InterExchange participants receive Accident and Sickness insurance that exceeds U.S. Department of State requirements. If you wish to offer more comprehensive health coverage, you are welcome to do so, but the participant may not decline the coverage already provided through InterExchange as included in the program fee.

Chapter 8 - Insurance

Accident & Sickness Insurance

All InterExchange Career Training USA participants have basic accident and sickness insurance that meets U.S. State Department requirements for the length of their stay in the U.S. Details regarding this insurance can be found at www.InterExchange.org/ct-insurance. Please ask the participant to contact us if he or she has any questions or concerns regarding the insurance coverage, and remind the participant to make copies of any bills and claim forms submitted to the insurance company.

Employer Insurance

You may offer the participant comprehensive health insurance, but the participant may not waive the accident and sickness coverage included in their program fee since it covers what is required under U.S. federal regulations for the program (namely emergency medical evacuation to the participant's home country and repatriation of remains).

Workers' Compensation

As with any employee, if the participant is injured while interning or training at your establishment, your workers' compensation plan should provide insurance coverage. InterExchange will cease to sponsor participants for any employer found to use InterExchange participant insurance in lieu of workers' compensation insurance for work-related injuries. Participants' insurance premiums—which they must pay themselves—are greatly affected by the size and number of claims, and InterExchange makes an effort to keep these premiums affordable.

Affordable Care Act (ACA)

J-1 participants visiting the U.S. in a non-student category (interns and trainees, for example) are exempt from the mandate to buy ACA-style coverage for their first two years in the U.S., as non-resident aliens, for tax purposes.

Chapter 9 - Social Security Numbers & Taxes

Social Security Numbers

If you are not providing any payment to the participant, he or she is not required to have a Social Security number. However, it is still recommended that participants apply for a number, as they may need it for opening a bank account, renting an apartment, or applying for a U.S. driver's license.

To avoid delays in obtaining a Social Security number, please remind the participant to contact InterExchange Career Training USA immediately upon arrival in the U.S. to activate his or her SEVIS record—the participant will not be able to get a Social Security number without an active SEVIS record. We recommend waiting 5-10 days after SEVIS activation before applying for a Social Security Number, as it sometimes takes a few days for SEVIS information to be updated in the Social Security Administration's database. To facilitate the application process, we recommend assisting the participant with locating a Social Security Administration Office near your office. Most Social Security offices are only open Monday through Friday from 9:00 am - 4:30 pm and are busiest between the hours of 11:00 a.m. - 2:00 p.m.

When applying for a Social Security number, the participant must bring the following items:

- ▶ His or her passport, including the J-1 Visa
- ▶ The DS-2019 Form
- ▶ The I-94 Arrival/Departure Record
- ▶ The 'Dear Social Security Officer' letter, included in the acceptance package from InterExchange

If assisting the participant with his or her Social Security application, please use the following tips:

- ▶ Use your company address as the mailing address, especially if the participant has not yet arranged permanent housing
- ▶ For the question regarding CITIZENSHIP, check the box labeled "Legal Alien Allowed To Work"
- ▶ The questions regarding mother and father's Social Security Numbers can be left blank

The wait time to receive a card will be 4-6 weeks, *but the participant may begin to intern/train and be paid before he or she has been issued a number, provided the participant provides you the receipt letter*, which is proof that the application has been given to Social Security. Please see www.ssa.gov/employer1.htm for more information.

If you or the participant have any questions, please call the Social Security Administration's toll-free number: 1.800.772.1213. Or, visit their website at: www.ssa.gov

Tax Information

If you are offering a paid internship or training program, the participant will be required to pay taxes.

I-9 Form

When the participant arrives at your company, he or she must complete an I-9 Employment Eligibility Verification Form, which notifies the Federal Government that he or she is allowed to work in the United States. The participant will show you his or her passport, I-94 Arrival/Departure Record, J-1 Visa and DS-2019 Form when completing this form. The participant will complete Section 1, and you will complete Section 2. The participant should fill out Section 1 using your company address.

W-4 Form

The participant is also required to fill out a W-4 Employee Withholding Allowance Certificate as soon as he or she starts a paid internship/training program. Based on the information provide on the W-4 Form, you will need to calculate the amount of federal, state and local taxes to be withheld from the paycheck. InterExchange Career Training USA participants are exchange visitors in the "non-resident alien" tax category. Please consult a tax professional for the most recent tax regulations.

FICA and FUTA Withholdings

Under IRS Code Section 31.21. (B)(19), all non-resident aliens on J-1 visas are exempt from paying FICA (Social Security) and FUTA (federal unemployment taxes) taxes during their first two calendar years in the U.S. Since all of our participants are only able to intern/train for 18 months or fewer, all are exempt from these withholdings. Please consult a tax professional to see if the participant is also exempt from state unemployment taxes in your state.

How to Complete the W-4 Form

The participant should NOT follow the instructions printed on the form, as the instructions on the W-4 Form are for U.S. residents—not exchange visitors. Please follow the instructions below.

- ▶ The Personal Allowances Worksheet does not need to be completed—this does not apply to exchange visitors
- ▶ Home address: Indicate the participant’s permanent U.S. mailing address
- ▶ Box 2: Enter the Social Security number if known
- ▶ Box 3: Mark or check “Single”, even if the participant is married
- ▶ Box 4: Leave blank
- ▶ Box 5: Write “1”
- ▶ Box 6: Write “NRA” for “Non-Resident Alien”
- ▶ Box 7: Leave blank

Tax Refunds

As an exchange visitor on a J-1 Visa, the participant is considered a “non-resident alien” for tax purposes and is required to pay some taxes. Filling out the W-4 Form properly will ensure that he or she does not owe the U.S. government any money. Depending on how long the participant interns/trains with you and how much money is earned, he or she may be eligible for a refund of some of the taxes paid.

All program participants who are paid must file a U.S. tax return for the calendar year during which they worked with your company and follow the tax-filing deadline for that year. Even if the participant is no longer in the U.S., he or she still must file a U.S. tax return for the time during which they worked. It’s important to remind your intern or trainee of this tax filing requirement, especially if the participant’s program spans over more than a single year’s tax period.

W-2 Form

If the participant is still in the U.S. at tax time, please provide him or her with a W-2. If he or she will have already returned home by the time W-2s are issued, we recommend that you have the participant leave a self-addressed envelope prior to departing the U.S. so that you will be able to mail the W-2 at the appropriate time.

Note: Do not send W-2 forms to our New York office. We are not responsible for getting this information to the participant and cannot guarantee that he or she will receive it.

Filing Form 1040NR-EZ

If the participant will still be in the U.S. at tax time, you may wish to offer him or her assistance with filing a tax return. Upon receiving a W-2 Form, the participant will fill out a 1040NR-EZ (Non-Resident Aliens with No Dependents) Tax Form. This can be obtained online at www.irs.gov.

Once the form is completed, it should be mailed to the address listed in the Where to File section of the 1040NR-EZ

Please encourage your intern/trainee to visit the Tax Resources and Information section of the Participant Resource Center on our website at www.InterExchange.org/ct-tax-info or to contact the IRS or a tax professional with specific questions as InterExchange Career Training USA is not certified or licensed to provide tax advice.

Chapter 10 - Paperwork and Testing

As a host employer, you have a right to ask the participant to submit to drug testing, sign confidentiality agreements or submit to a background check if this is the standard for employment with your organization. Any agreements you sign with the participant outside of the InterExchange-provided J-1 Visa sponsorship paperwork are between you and the participant; however, the host employer agreement, DS-7002, and J-1 Visa program regulations are the primary documents that will be utilized for this program. Any documents you wish to have the participant sign cannot be in conflict with the rules, regulations, and policies for participating as a host employer of an InterExchange Career Training USA-sponsored intern/trainee, nor may they replace any agreements that you as a host employer have with InterExchange or that the participant has with InterExchange.

Note: InterExchange is the authorized visa sponsor for this program—not the host employer. Only InterExchange or U.S. government officials may terminate the participant’s visa sponsorship and legal authorization to live and intern/train in the USA. Please do not misrepresent your relationship with the participant or ask him or her to sign any paperwork that implies that you as the host employer may end his or her visa sponsorship or have the participant returned to his or her home country. You do not have the authorization or ability to do this.

If you encounter any difficulties with the participant throughout the program, contact InterExchange immediately so that we can assist you with finding a successful resolution. Many issues you may encounter will most likely be the result of culture shock; being prepared for this and knowing how to address culture shock-related issues will enable you to resolve many difficulties that may arise more quickly and easily. You can find information about culture shock on our website at: www.InterExchange.org/american-culture/culture-shock. Please notify InterExchange staff if you encounter any problems that you are unable to resolve by communicating directly with the participant.

Chapter 11 - Important Program Considerations

International Travel

At some point during the participant's program, he or she may wish to return home for vacation or you may want him or her to travel for work-related purposes. It is very important that you understand travel restrictions and policies for J-1 Visa holders so that the participant can travel safely and ensure a smooth return to the U.S. at the end of his or her travels.

Traveling abroad with an expired visa:

If the participant's visa expires before the program end date listed on the DS-2019 Form (which is a possibility if the participant extends his or her program), and the participant plans to leave the U.S. for vacation or a work trip after the visa expires, he or she will not be able to re-enter the U.S. without a new visa. The participant will need to apply for the new visa at a U.S. Embassy abroad before returning to the United States. It is important that you and the participant discuss the J-1 Visa expiration date so that any international travel, either personal or work-related, can be planned accordingly and so you can ensure the participant will be able to return to the U.S. to complete his or her program after any international travel.

Traveling abroad for business or personal travel with a valid visa:

If the participant has a valid visa and wants to travel outside the U.S. during the program, he or she must submit the DS-2019 Form to InterExchange Career Training USA for a travel validation signature before leaving the U.S. Failure to obtain a travel validation signature may result in the participant being detained by immigration officials for questioning or even denial of entry into the U.S. upon returning. The signature is valid for six months, so if the participant travels multiple times within a 6-month period, he or she does not have to have the form signed each time, though they still need to inform InterExchange of their travel dates and destination(s). Once the six months passes, though, the form will need to be signed again before the participant leaves the U.S.

The participant can mail the DS-2019 Form to us or may also come into the office if you are located in New York City. If mailing the form, a self-addressed envelope should be included. If the participant will need the form returned via express mail, a check or money order for \$20, made out to InterExchange must be included to cover the express shipping fees. To ensure there are no delays in obtaining a signature, we recommend you send the form 2-3 weeks before the intended travel date. If the participant is coming to the InterExchange office for a signature, he or she must contact us in advance to schedule an appointment.

Before the participant travels internationally, please also use the following tips to facilitate border crossings and ensure the participant's safety, particularly if the participant will be traveling with you for work purposes:

- ▶ The participant must keep his or her DS-2019 with the passport at all times and in a safe place.
- ▶ Ensure the participant's visa is a multiple entry, "M" visa. If a specific number of entries is indicated, that is the number of times the participant may enter the U.S. on that visa. If he or she does not have a multiple entry visa, the participant will need a new visa to re-enter the U.S.
- ▶ Make sure to research whether the participant will need a visa in order to enter into other countries. To obtain a country's visa entry requirements, you should contact an embassy or consulate of that country, located here in the U.S.
- ▶ Check for any travel alerts or safety advisories for the countries the participant may travel to. You can find travel alerts on the U.S. Department of State website: www.state.gov

Note: The participant may not be outside the U.S. or away from the internship/training program for more than 30 consecutive days.

Termination/Quitting the Internship or Training Program

Participation in our Career Training USA program is optional for both you and the participant. If at any time you or the participant feels that the program is not working out, it is possible to end the program. If the participant is not performing at a level that is expected, you may terminate his or her employment. Similarly, participants may quit their internships/training programs. In both cases, a thorough discussion with the participant and a mutually beneficial resolution is preferable to a decision to end a program. You should also provide advice and points for improvement before terminating the participant's employment. If the participant does address any concerns with you regarding the program, be sure to take steps to make improvements and help to improve his or her experience within your organization.

Since the participant's employment status is recorded in SEVIS, *you must notify us immediately if he or she is terminated or decides to leave your company.*

Participants who are terminated or quit have two options:

- ▶ **Early Withdrawal:** If the participant would like to return home, please have him or her contact InterExchange. The participant must leave the U.S. within 30 days of the termination or voluntary withdrawal. If the participant is not interning/training with your company, he or she is not permitted to remain in the U.S., so please have the participant contact us immediately to discuss the required departure date and to ensure he or she is complying with program regulations. If the participant is terminated due to any sort of serious disciplinary reason, he or she must return home immediately. If there is a legal obligation to appear in court, the participant is responsible for obtaining legal representation and meeting court orders and appearances. You must contact InterExchange immediately about participants with legal or disciplinary problems.
- ▶ **Change of Host Company:** The participant may change his or her host company on a J-1 Internship or Training Program. In this case, he or she is required to provide your company with adequate notice and must contact InterExchange immediately.

The participant must contact us to discuss the reasons for changing and obtain a Change of Host Employer application. He or she must change to a new employer within 30 days of leaving your company, so it is essential that he or she contact us immediately to begin the process. If the participant's Change of Host application is approved, he or she will be given a new DS-2019 Form, which will show the new host company's address as the Site of Activity Address. Your company will no longer be listed in SEVIS as the host employer.

Program Extensions

We hope that our Career Training USA program will be successful for both your company and the participant. If you and the participant both feel the program is going well, it may be possible to extend the program. Interns and Hospitality Trainees may remain in the U.S. for up to 12 months total, and all other Trainees may stay for up to 18 months total. If the participant is currently in the U.S. on a 6-month internship visa, he or she may extend the program for an additional 6 months up to the maximum 12 months permitted for internship visas. Extensions must provide advanced training and allow the participant an opportunity to learn new skills and take on new responsibilities—you may not use the same training plan for an extension.

If you cannot extend the participant's program, he or she may still extend her program with a new host employer. In this case, the participant would need to find a new host employer and complete the change of host section of the extension application by our deadline as well.

Note: If an extension application is approved, only the dates of eligibility to intern/train will be extended. The participant's visa will not be extended. If he or she leaves the U.S. during the extension period and the visa has expired, the participant will be required to return to the U.S. Embassy/Consulate in his or her home country to obtain a new J-1 Visa before returning to the U.S. Make sure the participant has all of the necessary paperwork to apply for a new visa while abroad and remind him or her to always have a travel-validated DS-2019 Form (both the original and extension DS forms), along with his or her passport and DS-7002 (Training/Internship Placement Plan). If the participant remains in the U.S. during the entire extension period, no further visas will be required. Please note that obtaining a new visa is not guaranteed, and InterExchange has no jurisdiction to influence this decision.

To apply for an extension, participants **must contact us at least two months** in advance to discuss their situation and request an application. They **must submit the completed extension applications 30 to 60 days before their original program end dates**, or we will be unable to accept the extension application. If approved, each participant will be issued a new DS-2019 Form to cover the extension period. If the participant is changing host companies during their extension, the new host company's address will appear as the Primary Site of Activity Address on the new DS-2019 Form.

Repeat Participation in the Internship and Training Program

It is possible for many participants to do further internship programs as long as they are still current students or within one year of graduation. However, we require that a participant return to his or her home country to complete a semester of school before applying for another internship. In most cases, though, the participant will not be permitted to return to the same host employer. Additional internships and training programs must expose a participant to new skills, tasks and responsibilities, while still providing a training opportunity. Returning to the same host employer usually does not provide the opportunity for additional training and instead tends to result in an ordinary employment situation, which is not permitted on a J-1 Visa.

Participants may also repeat the Trainee program. However, if they have recently completed a J-1 internship or training program, they must leave the U.S. for a period of two years before applying for another training program in the U.S. This is required of all participants, and it applies specifically to Trainee visas—not other visa types or categories. Training programs build on participants' occupational experience, so the U.S. Department of State would like exchange visitors to return home to apply their U.S. knowledge

and build more advanced skills in their occupational field before they will be eligible to train in the U.S. again.

Two-Year Foreign Residency Requirement

Participants may also be subject to the Section 212(e), two-year foreign residency requirement, which requires them to return to their home country for a period of two years to apply the knowledge and skills they have gained in the U.S. Participants subject to 212(e) may not apply for an H, L, or K visa or lawful permanent residency upon completing their J-1 Intern/Trainee program until they have returned to their home country for a period of two years.

They may be subject to this requirement for one or more of the following reasons:

- ▶ The United States government, their own government or an international organization funded their participation in the InterExchange Career Training USA program.
- ▶ The training and skills they are pursuing during their program appears on the Exchange Visitor Skills List for their country.

The requirement is applied at the discretion of U.S. consular officials. The J-1 Visa in the participant's passport will indicate whether he or she is subject to the requirement. If the participant is subject, the visa will have the following note: 'BEARER IS SUBJECT TO SEC 212(E). TWO YEAR RULE DOES APPLY.'

The two-year foreign residency requirement also applies to any of the participants' dependents in the U.S. on a J-2 Visa.

Change of Status

Under no circumstances may you change a participant's status to another visa while he or she is on the InterExchange Career Training USA program. All exchange visitors are required to return to their home countries upon completing their programs in order to share their knowledge and experience with their fellow citizens, thus completing the exchange. If you require H1B staff, other visa holders, or other permanent staff, they should be sponsored directly through you and should be coming to the U.S. specifically for that purpose. Employers who attempt to change the status of a J-1 Visa holder will be prohibited from hosting InterExchange Career Training USA participants in the future.

After the Program

Here are a few things to remember once you've successfully hosted an intern or trainee:

- ▶ Complete your Final Evaluation (you will receive a link by email). Note that there is a separate Final Evaluation for those who have extended their program.
- ▶ Send your interns or trainees their W-2 forms when it is time to file a tax return. See Chapter 9 for more information.
- ▶ Share your experience with others! Tell your friends and colleagues about hosting a J-1 exchange visitor through InterExchange.

Chapter 12 - Health, Safety, and Welfare and Handling Major Emergencies

Avoiding Exploitative Behavior

To meet the cultural exchange objective of the program, InterExchange expects the exemplary behavior from host employers and their representatives in interactions with participants. In addition to the general requirements to meet the laws and regulations of the U.S., you must not engage in the following types of specific activities as they pertain to your participant:

- ▶ You shall not engage in any activities that would violate the laws and regulations of U.S. federal, state, and local authorities.
- ▶ You shall not engage in any activities that may be legal, but nevertheless unethical, including without limitation, inappropriate relationships with the participant, coercive or harassing acts, hiring based on favoritism, retaliating against the participant, misleading the participant, making promises to the participant that are outside of the scope of the program, and asking inappropriate questions of the participant.
- ▶ You must also not endanger the participant's safety or the safety of others or act in a manner that raises the appearance of endangering the participant's safety or the safety of others.
- ▶ You shall not engage in activities or make promises to participants regarding any activities that either InterExchange or the U.S. Department of State prohibits.

If InterExchange finds that you or any of your employees or affiliates have engaged or will engage in exploitative or other unreasonable behavior, InterExchange will immediately end your participation in the program.

Read the Wilberforce laws that prevent exploitation at www.uscis.gov.

Read our guidelines and help prevent human trafficking: www.InterExchange.org/anti-trafficking

Precautions

If you are aware or become aware that the participant is suffering from any serious medical, psychological or criminal incident that interrupts or impedes his or her ability to successfully abide by the terms of the internship/training program, contact InterExchange immediately and take reasonable precautions to prevent injury or harm to your participant or employees, or damage to your property or that of the participant or other employees.

If the participant suffers an accident or serious illness that, in the judgment of InterExchange, prevents the participant from successfully complying with the terms and conditions of the Training/Internship Placement Plan, please understand that the participant may be asked to end his or her program early and return home. Similarly, if the participant is deemed to be a danger to him or herself or to others, or if the participant's conduct is deemed to be detrimental to the Exchange Visitor Program as a whole, InterExchange may end the participant's program early.

Natural Disasters and Other Major Emergencies

To the extent that it is reasonably possible, you must coordinate your response during any natural disaster or emergency with the Career Training USA program director. If you are unable to contact or respond to InterExchange, you must make contact with InterExchange staff to confirm local circumstances as soon as it is reasonably feasible to do so.

Although InterExchange will provide emergency messaging to you and the participant, you are responsible for ensuring the safety of the participant. You should not alter any messaging sent by InterExchange, but you should also caution the participant to follow your guidance and/or the guidance of local authorities if the guidance conflicts with InterExchange guidance since you will have more information regarding your specific local conditions.

The most important aspects of promoting safety are communication, preparedness and coordination. You should have an emergency contingency plan and share this plan with the participant as part of his or her orientation with your company. You must issue emergency instructions to the participant to help prepare him or her in case of emergencies and make the participant aware of emergency and evacuation procedures issued by your company and federal, state, and local government authorities.

Timely communication with InterExchange throughout an emergency event is necessary and a requirement as a host employer. Please always respond to InterExchange's inquiries about the safety of participants as soon as reasonably possible. Please read all safety notices sent by InterExchange and follow instructions as appropriate to ensure the health, safety and welfare of participants.

Chapter 13 - Cultural Exchange

Helping Participants Gain a New Understanding of the USA

Cultural exchange occurs when people gain more in-depth understanding and knowledge about another country, its culture, its customs and its day-to-day practices through person-to-person contact. Our participants as well as our hosts embrace this aspect of InterExchange programs and understand its importance whether they're part of a camp, a family, a seasonal business or a professional environment.

The United States is often described as a “melting pot” attracting people from countries all over the world. It is a culture that is continuously being reshaped and redefined as more people from other countries gain exposure to the country. It is also influenced by visitors who share their cultures during their time in the U.S. and by the deeper insights and favorable attitudes about American life they return to their home countries with.

InterExchange makes it a priority to give our participants and hosts resources to explore cultural learning opportunities together or independently. We've created an online guide to U.S. culture, including recommended sites and activities for everyone to enjoy during time spent in the U.S. We encourage everyone to discover new places and aspects of American culture, whether they're visitors or natives!

www.InterExchange.org/american-culture
www.InterExchange.org/american-culture/for-hosts
www.InterExchange.org/ct-activities-guide

The InterExchange *Inside the USA* handbook also contains many helpful recommendations and resources.

Culture Shock

What Is Culture Shock?

Almost all international interns/trainees will encounter some difficulties adjusting to living and working in the U.S. Culture shock is defined as the psychological shock of having to adjust to new surroundings and a new culture that may be dramatically different from one's own. Participants may notice that the familiar signs of home and the automatic responses used in their daily lives in their home countries may not achieve the desired results. Climate, food, landscapes, people and their ways may all seem strange. English ability may not serve the participant as well as he or she expected. The participant may feel the pressures of the fast paced life in the U.S. You should expect a short transitional period while the participant “warms up” to his or her new situation.

Signs of Culture Shock

International interns/trainees experience culture shock to varying degrees; some hardly notice it at all, while others can become overwhelmed. Many may not attribute their problems to culture shock. Whatever the case may be, being sensitive to these issues will benefit you all. If at any time, you require assistance in dealing with any cultural misunderstandings, please do not hesitate to call the InterExchange Career Training USA program staff.

Below are some common signs of culture shock:

- ▶ The participant may feel isolated and frustrated. He or she may become nervous and/or excessively tired or may sleep a lot, even after recovering from jet lag.
- ▶ The participant may be excessively homesick. It is normal to miss home, family and friends but if the participant can think of nothing else, email/Skype, call home all the time, or frequently seem depressed or cry, he or she is most likely suffering from culture shock. The participant may seem unfavorable towards the U.S. as the cause of this discomfort. Normal, minor irritations may make them overly upset.
- ▶ The participant may become dependent upon others from his or her home country. These friendships are important and are extremely supportive. However, a participant spending time exclusively with others from his or her home country denies him or herself the educational experience of interacting with people from the U.S. and other countries.
- ▶ The participant may have deep doubts about the decision to come to the U.S. and may experience stress and anxiety in the workplace. He or she may wonder: “Why does my boss speak so loudly and quickly?” “Will I be able to repay my parents the money they lent me?” This stress can become overwhelming and cause tension.
- ▶ The participant may feel reluctant to speak English or to associate with people.

Coping With Culture Shock

Almost all interns/trainees overcome their culture shock and successfully complete their programs. The following suggestions may help you in understanding and resolving any problems that may arise:

- ▶ Maintain your perspective. The participant will occasionally need your advice or encouragement. Usually the participant will just need to know he or she has someone “on his or her side” to help boost his or her confidence while adapting to this new environment.
- ▶ Keep an open mind and a sense of humor. People in the U.S. may do or say things that people in the participant’s home country would not do or say. Try to understand that the participant is acting according to his or her own set of values and that these values are from a culture different from yours.
- ▶ Review the “About U.S. Culture” section of our website for recommendations of sites and activities that your interns/trainees can enjoy: www.InterExchange.org/interexchange-top-cultural-picks-us.
- ▶ Encourage the participant to become involved in local activities and introduce him/her to opportunities when possible (such as joining a sports team or obtaining a local sports facility membership, community events, street fairs, volunteer activities, etc.).

Read our section on Culture Shock for more suggestions to help interns/trainees cope with the transition: www.InterExchange.org/career-training-usa/coping-culture-shock

Chapter 14 - Tips for a Successful Program

Every business has a unique style and way of operating. Many of these suggestions have worked for other host employers, and although not all of these suggestions may be feasible for your business, they have worked in the past and can inspire ideas that are relevant for you. We also recommend viewing our Best Practices for Host Employers: www.InterExchange.org/career-training-usa/host-best-practices

Orient your international intern/trainee to your office culture.

A formal introduction to the company is important for international interns/trainees to get familiar with the office environment and meet the staff they will be working with on a daily basis. Make sure to explain the office culture, how to use office equipment, how to handle emergencies and work-related injuries and other information that will prepare them to be successful. Whether you provide a printed or online guide, it's important for interns/trainees to have easy access to information about the company and its policies if they have questions. Written information that outlines intern benefits, such as paid time off, sick days and other benefits that apply to them, is important as well.

Include interns and trainees in company activities and traditions—both in and out of the office. Some examples include office sports teams, group lunches, parties or picnics, or even a speaker series. Make them feel like a part of the team and encourage their involvement. Interactions between them and their American peers are an essential part of the cultural exchange experience!

Provide the participant with a clear set of guidelines.

As with any employee, when your expectations are presented in a straightforward and honest manner, the participant will be more aware of what he or she should and should not do. The first impression often sets the tone for the rest of the program.

Regular communications with the participant enhance the experience for everyone.

The majority of misunderstandings arise from poor communication or a cultural difference. Also, in certain cultures, it is not appropriate for subordinates to address concerns with superiors. If you notice the participant is having a difficult time, you will need to take the first step and open the conversation. Listen to the participant's concerns, and let him or her know that it is okay to discuss any issues or concerns he or she is experiencing.

Set schedules and deadlines for the participant.

Clear schedules and deadlines will help the participant know what to expect and can help avoid misunderstandings about his or her commitment to you.

Remain sensitive to the needs of the participant.

Many employers comment on how impressed they are with their intern/trainee's behavior and his or her ability to adapt. However, if the participant is having trouble, try to imagine yourself in a similar situation. Your individual intern/trainee may require some extra attention or extra assistance. If you welcome the participant properly, treat him or her fairly and communicate openly, the experience should be mutually enjoyable.

If the participant is reluctant to speak English upon first arriving, it is best to encourage him or her to practice using English as much as possible.

Participants who get into the habit of speaking in their native language tend to make slower progress. The more English the participants speak, the easier their time here will become. It may be difficult at first, but it is very important that participants challenge themselves to adapt to interacting in English to make the most of the exchange experience.

If there is interest, organize an international food night, a barbecue, or an outing for your staff.

Activities encourage staff cohesion and provide an alternate setting for social interactions outside of the working environment. Group events also give participants a feeling for how people from the U.S. interact outside of work and give them a chance to educate you and your staff about different countries and cultures. These types of benefits have long been a secret of successful host employers everywhere. Simple social activities may seem obvious, but they can have a strong, lasting effect on employee-employer relations.

Organize a company sports team within a community league.

Getting the participant familiar with the host community is an important part of the program and informal team sports often

encourage the participant to meet and get to know the American members of the local area.

Enjoy a Successful Experience With InterExchange Career Training USA

We hope that you have a rewarding time hosting a J-1 visitor, and we look forward to working with your company. Please contact us with any questions or concerns you may have and we will be very happy to help. Please keep this handbook as a reference throughout the program. Other helpful resources can be found on our website:

www.InterExchange.org/career-training-usa/hire-intern-trainee/employer-resources

Thank you for hosting an intern or trainee through our cultural exchange program!



TEL 212.924.0446 or 1.888.621.1202 FAX 212.924.0575
www.InterExchange.org

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