

WESTERN MICHIGAN UNIVERSITY SERVICE PAYMENTS TO FOREIGN NATIONALS IMMIGRATION DOCUMENTATION REQUIRED FOR PAYMENT

Pursuant to federal law, it is unlawful for WMU to pay foreign nationals who are not authorized to work or perform services for payment in the United States. Therefore, WMU will require foreign nationals to demonstrate eligibility to receive payment for services.

Note to foreign nationals submitting requests for service payment:

Please be advised that it is your responsibility to obtain and demonstrate the appropriate authorization to perform service and receive payment. Please be advised that WMU will not be able to process and issue payment until such time that you are able to demonstrate eligibility to receive payment for services. Thank you for your understanding.

General information for activities and honoraria:

Tourist and business visitors in B-1, B-2 or Visa Waiver Program status are eligible to receive honoraria and reimbursement of incidental expenses through the American Competitiveness and Workforce Improvement Act.

Only colleges, universities, nonprofit research organizations and governmental research agencies are allowed to pay honoraria and incidental expenses. An honoraria is payable only if both of the following apply:

The duration of the activity is **nine** days or less.

The visitor has not been paid or reimbursed by more than **five** other institutions during the past **six** months.

An honorarium is a gratuitous payment for participation in a usual academic activity for which no fee is legally required; an honorarium may be of any dollar amount.

Usual academic activity is defined as those activities for the benefit of the institution that include, but are not limited to: lecturing; teaching; consulting; conducting research; attending meetings, symposiums or seminars; or otherwise sharing knowledge, experience or skills in master classes, readings and performances (when the audience is composed of non-paying students or open to the general public and general admission tickets to the public have not been sold), and meetings of boards, committees or merit review panels. The rule precludes the sale of tickets for usual academic activity, and states that in such circumstances the foreign national would need to avail him or herself of another visa category.

Documentation required for honoraria eligibility per category:

B1 or B2 visa:

I-94

Passport

Signed attestation to "9/5/6" Rule (time at WMU is 9 days or less, not paid or reimbursed from over 5 U.S. institutions in a 6 month period)

Service is limited to regular academic activity for honoraria

WB or WT status:

I-94

Passport

Signed attestation to "9/5/6" Rule (time at WMU is 9 days or less, not paid or reimbursed from over 5 U.S. institutions in a 6 month period

Service is limited to regular academic activity for honoraria

Canadian citizen without visa:

Canadian passport

Signed attestation to "9/5/6" Rule (time at WMU is 9 days or less, not paid or reimbursed from over 5 U.S. institutions in a 6 month period

Service is limited to regular academic activity for honoraria

Payments to independent contractors

Below are the most common visa status categories that are eligible for payment as independent contractors:

J-1 Exchange Visitor categories (professor, research scholar, short term scholar, specialist)

Documentation required:

WMU is sponsor of DS-2019

DS-2019 (service within dates of DS-2019)

I-94

Passport

or

WMU is not sponsor of DS-2019

DS-2019 and authorization letter from sponsor as indicated on DS-2019

I-94

Passport

O-1 Visa

Documentation required:

I-94 and I-797

Passport

Eligible to receive payment if WMU is indicated on the I-797 (related to service contract)

P-1,P-2 & P-3 Visas

Documentation required:

I-94 and I-797

Passport

Eligible to receive payment if WMU is indicated on the I-797 (related to service contract)

H-4 visa with EAD card

Documentation required:

Employment Authorization Document (I-766)

J-2 visa with EAD card

Documentation required:

Employment Authorization Document (I-766)

F-1 visa with EAD card

Documentation required:

Employment Authorization Document (I-766) for Optional Practical Training I-20 showing it is practical training in their field

Please be advised that you will be required to demonstrate work authorization for your eligibility to receive the payment requested. Additionally, you will be required to show the original documents proving your eligibility to receive payment prior to WMU issuing payment for services. Your documents will be photocopied by WMU. Please inquire within to request payment based on any other form of lawful work authorization you may have that is not otherwise listed.

Last updated: 6/28/2019