



WORK PERMISSION FOR J-2 DEPENDENTS

Conditions

1. J-2 status must be valid and the Exchange Visitor must hold valid J-1 status, as shown on your I-94 Departure Record cards.
2. A J-2's income may not be used to support the J-1 spouse or parent.
3. A J-2 may work when he/she receives the Employment Authorization Document (EAD) from the Department of Homeland Security (DHS). The EAD is an identification card laminated in plastic, with the J-2's photograph and the expiration date of the permission to work.
4. A J-2s may work part-time, or full-time, at any job, for any employer (except that he/she may not practice medicine, even if he/she has a license). There is no legal limit to the amount that a J-2 may earn.
5. DHS can authorize J-2 employment for as long as the J-1 Exchange Visitor has permission to stay OR for four years, whichever is shorter. Permission to stay expires on the date shown on the I-94 card. If the I-94 card shows "Duration of Status" or "D/S," permission to stay expires on the date shown on the DS-2019.

Required Documentation

1. Completed I-765; obtain the most current version from: www.uscis.gov
 - Click on *Immigration Forms* and then scroll down to *Application for Employment Authorization*
2. Filing fee of \$380.00. Make check or money order payable to "Department of Homeland Security." (Do not send cash by mail.)
3. Photocopy of J-1 visa holder's I-94 (both sides) and the J-2 visa holder's I-94 (both sides).
4. Instructions for 2 photos of the J-2:

1) Passport-style color photo with white background	6) No larger than 2 X 2 inches, with face centered
2) Taken no earlier than 30 days before submission	7) Distance from top of head to chin: about 1¼ inches
3) Unmounted, on thin paper, glossy, unretouched	8) Eye height from bottom: 1⅜ - 1½ inches
4) Full face from front, eyes open, natural expression	9) No shadows on face or background
5) Bare head (no hat, etc.) unless wearing a religiously-required headdress	10) The student should lightly print his/her name and A# (if known) on the back of each photo

*We recommend that you have your photos taken at **Printing Services** located in **Thwing Center, A21***
Monday – Friday, 8:30am – 5:00pm
Phone: (216) 368-2550
\$9.00 + tax for two photos

5. Photocopies of J-1 visa holder's DS-2019 (both pages) and the J-2 DS-2019 (both pages).
6. Photocopies of the biographical page of the J-1 and J-2 visa holders' passports.
7. Photocopies of the visa page belonging to the J-1 and J-2 visa holders.

Continued on Next Page →

WORK PERMISSION FOR J-2 DEPENDENTS

Required Documentation

8. A written statement from the J-2, showing that his/her employment is not necessary to support the J-1, must be provided. The letter should indicate the sources and amount of the J-1 Exchange Visitor's support and include a short budget or statement of family expenses to show that his/her resources are adequate without any income from the J-2's employment. The J-2 should give reasons for wanting to work, like some worthwhile interest that might include family travel or recreational and cultural activities. The letter must specifically state that the income from the J-2's earnings will not be used for the J-1 Exchange Visitor's support.

* See attached sample*

9. If you list your address in the state of OHIO in section 3 of the I-765 Form, send the completed application to one of the following addresses:

If you send your application
using First Class (Standard) Mail: USCIS
PO BOX 21281
Phoenix, AZ 85036

If you send your application
using a services that requires
a delivery signature: USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034

If the address used in section 3 is NOT in OHIO, determine the proper mailing address for your application by following the instructions provided on page 10 of the Instructions for Form I-765:

<http://www.uscis.gov/files/form/i-765instr.pdf>

We strongly recommend that you photocopy the I-765 for your records.

Important Information

INS Form I-9, "Employment Eligibility Verification"

When a J-2 begins work, his/her employer will ask him/her to complete Form I-9, which requires the J-2 to document his/her work authorization. For Form I-9, the EAD card is acceptable proof, both of identity and permission to work.

If your permission to stay expires, so will your EAD

The J-1's International Student Advisor will explain how to extend permission to stay for the J-1 and all J-2 dependents. They will also know whether a J-2 may apply for a new EAD with the application for extension or after it has been approved. When a J-2 applies for a new EAD, he/she will have to update Form I-9 with the employer.

A Social Security Number

To be added to the payroll, the employer will need the J-2's Social Security number, which the J-2 can obtain by applying for a Social Security card. Take the passport, I-94 Departure Record card, the J-1's Form DS-2019 and the J-2's DS-2019, and the EAD if it has been obtained, to a Social Security Administration office. If the J-2 applies before receiving an EAD the Social Security card will be stamped "Not Valid for Employment." That stamp will not make the J-2 ineligible to work; it means only that no funds will ever go into the Social Security account represented by that number.

Taxes

The earnings of J-2 dependents are subject to applicable federal, state and local taxes, including F.I.C.A. (Social Security taxes) and employers are required by law to withhold those taxes from paychecks. By April 15 J-2s must file an income tax return with the Internal Revenue Service (IRS), covering the prior calendar year. The return determines whether more taxes are owed or if a refund is due. For additional information regarding taxes, please see IRS Publication 519, "U.S. Tax Guide for Aliens."

WORK PERMISSION FOR J-2 DEPENDENTS

Sample Letter of Application for J-20 Work Permission

(Your street address)
(Your city, state and zip code)
(Date)

District Director
U.S. Citizenship and Immigration Services
P.O. Box 87765
Lincoln, NE 68501-7765

Dear Sir or Madam:

I would like to apply for J-2 work permission.

My spouse's Form DS-2019 shows \$37,044 in support, including \$25,000 from Case Western Reserve University, and \$12,044 in personal funds. Of this, \$19,044 goes to the University for tuition and fees, and a total of about \$1,200 for the year will be withheld from his assistantship stipend checks for income tax. In addition we pay about \$900 each year for health insurance. That leaves \$14,200, or just under 1,200 a month, for living expenses.

As this budget shows, we have enough to live modestly. While in the United States I would like to take a course in English for foreigners, which would cost about \$50 per month, and we can afford the expense only if I work. I therefore hope that you will approve my request.

I understand that none of my earnings may be used for the support of my J-1 spouse.

Sincerely,

(Your signature)

(Your name)

Sample Letter of Application for J-20 Work Permission