



# J-2 Employment Authorization

J-2 dependents seeking employment authorization

Revised: 10/07/2019

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*A J-2 dependent may apply for employment authorization through U.S. Citizenship & Immigration Services (USCIS). Employment authorization is not guaranteed and must be approved by USCIS.*

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## **ELIGIBILITY FOR J-2 EMPLOYMENT AUTHORIZATION**

- Currently maintaining valid J-2 non-immigrant status, including maintenance of health insurance
  - J-1 is currently maintaining valid non-immigrant status, including maintenance of health insurance
  - Wages earned by J-2 will not be used to support the educational needs of the J-1
  - J-2 has not engaged in any unauthorized employment
  - Must submit the application to USCIS from within the U.S.
- ◇ While application is pending:
- You may not engage in any employment
- ◇ If employment authorization is approved:
- Employment Authorization Document (EAD) card will be issued with firm start and end dates. You may only work within these dates. You must have the card to legally begin employment.
  - Make a copy of the EAD card for your permanent records
  - Required to update current U.S. residential address with USCIS if you move ([www.uscis.gov](http://www.uscis.gov))
- ◇ If employment authorization is denied:
- You may not engage in any employment
  - Consult with an ISS advisor. (You will receive an official denial notice from USCIS.)

## **DATES OF J-2 EMPLOYMENT AUTHORIZATION**

- J-2 employment authorization may be granted for up to four years, although USCIS generally approves one year at a time
- An extension of employment authorization may be filed no more than 180 days prior to current EAD card end date
  - I-765: “renewal of my permission to accept employment”
- Employment authorization cannot exceed the J-1 program duration as indicated on the DS-2019

## **J-2 EMPLOYMENT RESTRICTIONS**

- There are no employment restrictions in terms of the type of employment that you can accept
- There are no restrictions on the number of hours per week you are allowed to work

## **SOCIAL SECURITY NUMBER (SSN)**

- An SSN is required for payroll purposes and can be requested once the EAD card has been issued for J-2 employment
- J-2 must apply in person at the Social Security Administration office. The following documents are required:
  - J-2 passport, visa, I-94, DS-2019, EAD card, and SS-5 application (found at [www.ssa.gov](http://www.ssa.gov))
  - J-1 DS-2019

## **TAXES**

- Earnings of a J-2 dependent are subject to federal, state, local, and Social Security tax withholding
- Taxes must be filed by the J-2 dependent by April 15th if wages were earned in the previous calendar year
- Information on tax filing and resources are available at [iss.wisc.edu](http://iss.wisc.edu). ISS advisors are unable to provide tax advice.



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## APPLICATION INSTRUCTIONS

Mail the following documents to U.S. Citizenship & Immigration Services (USCIS) to request J-2 employment authorization. You must be approved by USCIS before engaging in any employment.

See [www.uscis.gov/i-765](http://www.uscis.gov/i-765) for current instructions, filing fees, and mailing addresses.

### The following documents should paper-clipped together and mailed in order as follows:

- USCIS Form I-765 filing fee for \$410 USD (personal check, cashier's check, or money order)  
Made payable to: U.S. Department of Homeland Security
- Two color U.S. passport-style photos with a white background taken within 30 days of submitting your application to USCIS. No eyeglasses can be worn in the photo.  
Write your full name and I-94 number on the back of each photo in pencil or felt pen.
- OPTIONAL*: Form G-1145: E-Notification of Application/Petition Acceptance if you would like to be electronically notified of receipt number.
- Original, signed Form I-765. Download the current Form I-765 from [www.uscis.gov/i-765](http://www.uscis.gov/i-765)
  - Check the box for "Permission to accept employment"
  - For item 5 of the I-765, U.S. mailing address must be valid for the next 6 months
    - Federal government mail CANNOT be forwarded to new address through the post office
  - Complete item 27 of the I-765 as follows: (c)(5)
  - Hand-sign and date the form in black ink
- Photocopy of passport identity and expiry page(s)
- Photocopy of current visa page(s) and entry stamp
  - If you changed your status within the U.S., include a photocopy of your I-797A
- Print-out of I-94 ([cbp.gov/i94](http://cbp.gov/i94)) or photocopy front and back of original I-94 card in passport
- Photocopies of all J-2 DS-2019s
- Photocopies of all J-1 documents (passport, visa, I-94, DS-2019)
- Photocopies of all previously issued EAD cards, if applicable
- A letter, addressed to USCIS, which includes the following:
  - Your identifying information (name, visa type, date of arrival to the U.S., your expected duration of stay)
  - Your request for J-2 work permission
  - State what financial support the J-1 has for educational purposes (should match DS-2019)
  - Demonstrate that the J-2 employment earned wages will not be used to support the J-1's educational or living expenses (recreational and cultural activities are OK)
  - Include a monthly household budget to substantiate your claim
  - Thank the USCIS adjudicating officer for their time in considering your request
  - Sign and date the letter

**Make a copy of the entire USCIS application package & request a tracking number before mailing:**

**If you used a Wisconsin address on Form I-765, mail your completed application packet to one of the following:**

**Via U.S. Postal Service Standard Delivery:**  
USCIS  
PO Box 21281  
Phoenix, AZ 85036

**Via Express Mail & Courier Deliveries (FedEx or UPS, for example):**  
USCIS (Attn: AOS)  
1820 E. Skyharbor Circle S  
Suite 100  
Phoenix, AZ 85034