

## J-2 Work Permission Guidelines

J-2 visa holders (spouses and dependent children of J-1's) may apply to U.S. Citizenship and Immigration Services (USCIS) for permission to work in the U.S. Title 8, Code of the Federal Regulations part 214.2 (J) (1)(v) states that, "income from the spouse's or dependent's employment may be used to support the family's customary recreational and cultural activities and related travel, among other things. Employment will not be authorized if this income is needed to support the J-1 principal alien."

### **Application Requirements:**

- A letter to USCIS, explaining the reason for requesting the employment authorization. **(The letter should clearly state that this is not to financially support the primary J-1, but perhaps to receive some experience while in the U.S. accompanying spouse).**
- Complete form I-765. Form can be found at the USCIS website: <https://www.uscis.gov/i-765> . The code for item 16 of this form is **(c) (5)** and the filing fee is \$410.00 (check made payable to: U.S. Department of Homeland Security.)
- All copies of your DS-2019 forms and a copy of your I-94 for **both J-1 and J-2 visa holders.**
- Copy of your J-2 visa stamp in your passport, and the passport page with your photo and information.
- Two passport type color photographs or check the following web site: <http://www.uscis.gov/sites/default/files/files/form/i-765instr.pdf> Print your name in pencil on the back of the photographs (include the number on your previous EAD if you have one).
- If you have applied for an EAD before, a photocopy of your Employment Authorization Document (back and front).
- Mail all of these documents listed above by **Express Mail Return Receipt Requested or Courier Services to the address listed in the USCIS instructions.** We suggest that you make a photocopy of all documents before you mail it.

After mailing in the documents, you will receive a notice (form I-797) stating that you need to wait to receive your EAD card. A J-2 dependent may not begin working until the application has been approved and the card is received.

It is advisable for the J-2 to apply for a Social Security Card after you receive the EAD card and have a job offer. A Social Security number is necessary before you can earn any wages in the U.S. J-2 visa holders are subject to social security taxes, federal income taxes and where applicable state and local income taxes.