

J-2 Employment Instructions

CONDITIONS

1. The J-1 Exchange Visitor must be in valid status.
2. The income derived from the employment may not be used to support the J-1 spouse.
3. Employment may begin only after receiving the Employment Authorization Document (EAD) from USCIS. Employment cannot continue past the expiration date of the EAD; however, an extension of the EAD may be filed as early as 4 months prior to the expiration date. The EAD with a new expiration date must be received before employment can continue.
4. The EAD authorizes employment, with no restrictions regarding the employer or the salary.

HOW TO APPLY

1. Form I-765 found at <https://www.uscis.gov> - "Forms" Answer to #27 on I-765 is (C) (5).
2. Request for permission to work should be submitted in the form of a letter from the J-2 dependent. (Sample letter pg.2)
3. Print out and include most recent I-94 of J-1 and J-2. You can do this at link <https://i94.cbp.dhs.gov/i94/#/home>
4. Copies of current SEVIS DS-2019 of J-1 and J-2.
5. Copy of previous Employment Authorization Document (EAD), if applicable.
6. Filing fee as noted on the I-765 instructions, with payment to "Department of Homeland Security"
7. Copy of the following passport pages:
 - Biographical page
 - If renewed, include passport renewal information
 - J-2 visa

Two photographs placed in small envelope. On back of photo lightly print in **pencil** name of J-2 and I-94 Departure number

Guidelines for photos (passport style): taken within past 6 months

- plain white or off-white background– 2x2 inches in size
- un-mounted color print on glossy, un-retouched paper
- head positioned directly facing the camera; eyes open, looking at camera; eyeglasses worn if normally used
- photo from slightly above top of hair to middle of chest – height of head should measure 1 to 1 3/8 inches
- head should be bare unless wearing a headdress required by a religious order to which you belong.

Suggested photographers:

Gatton Student Center – 257-1278
Johnny Print - 547 S. Limestone - Ph: 254-6139
Walgreens stores

8. Mail completed application to address listed on the USCIS website.

IRS FORM I-9, “EMPLOYMENT ELIGIBILITY VERIFICATION”

When you begin work, your employer will ask you to complete Form I-9, which requires you to document your work authorization. For form I-9, your EAD card is acceptable proof both of your identity and your permission to work.

If your permission to stay expires, so will your EAD. Your spouse’s J-1 Responsible Officer will explain how to extend permission to stay for the J-1 and J-2 dependents and will know whether you may apply for a new stay, or for a new EAD with the application for extension, or after it has been approved. *A pending application for extension of stay, or for a new EAD, does not authorize you to continue working.* When you have the new EAD, you are required to update Form I-9 with your employer.

A SOCIAL SECURITY NUMBER

You may not apply for a Social Security number before receiving your employment authorization. Most employers need your Social Security number within 30 days of the commencement of your employment. You can obtain a Social Security card by taking your passport (if you are Canadian you may use another form of photo-bearing identification), I- 94 Departure Record card, J-2 DS-2019 Form, and your EAD to:

The Office of the Social Security Administration
2241 Buena Vista Road, Suite 110
Lexington, KY 40509

TAXES

The earnings of J-2 dependents are subject to applicable federal, state, and local taxes, and Social Security, and employers are required by law to withhold those taxes from paychecks. By April 15, you must file an income tax return with the Internal Revenue Service (IRS) covering the prior calendar year. The return determines whether you owe more taxes or will receive a refund.

SAMPLE LETTER FOR J-2 DEPENDENT *(Modify as needed)*

Date:

From: *(Print name and write signature)*

To: (use address listed on USCIS website) Re: Submission of I-

765

My spouse is *(name)*, a J-1 Exchange Visitor in the Department of *(name)*, University of Kentucky. My spouse’s income per month is *(amount)*.

Since joining my spouse, I have found that my living expenses are greater than originally anticipated. My spouse’s salary is sufficient for his/her own support, but it does not allow me the opportunity to pursue many cultural and recreational activities in our community

I, therefore, request your consideration of my application for work authorization. *The income derived from the desired employment will be used to support myself and not my J-1 spouse.*