

Employment Authorization for Dependents in J-2 Status

What is Employment Authorization?

Employment authorization is permission for a dependent in J-2 status to work part-time or full-time, on or off campus. A dependent in J-2 status (hereafter known as “Dependent”) is a spouse or unmarried child (under the age of 21) of a J-1 Exchange Visitor (hereafter known as “Exchange Visitor”). Work authorization is not an automatic benefit, but must be requested. A Dependent is eligible to apply for an **Employment Authorization Document** (EAD) from U.S. Citizenship and Immigration Service (USCIS), upon arrival to the U.S. Once received, the EAD allows a dependent to begin employment in the U.S.

Note: A Dependent should apply to USCIS for employment authorization only if the employment is not for the purpose of financially supporting the Exchange Visitor.

General Guidelines for J-2 Employment Authorization:

- A Dependent is eligible to apply for employment authorization as long as the Exchange Visitor maintains valid J-1 status.
- Employment authorization is a benefit a Dependent may apply for; however, working in the U.S. is not authorized until the application is approved and the EAD card received.
- A job offer is not required in order to apply for an EAD card.
- Employment is only authorized for the validity dates indicated on the EAD card.
- Employment authorization is typically approved for a period of one year at a time, although it can be approved for the duration of the Exchange Visitor’s program. Once approved, please keep in mind that employment authorization must be renewed prior to expiring in order to continue employment uninterrupted.
- If the Exchange Visitor changes their status to another classification or ends their J-1 program early and departs the U.S., the Dependent must stop employment even if their EAD card is still valid.

How to Apply for J-2 Employment Authorization:

- **Gathering the Required Documentation** - In order to apply for employment authorization, a Dependent must provide the following documents when submitting an application to USCIS:

- Signed and completed [Form G-1145](#) (E-Notification of Application Acceptance) – this form is not required but recommended. Completing this form means you will receive an email or text message when your application is received by USCIS. This form should go on the top of your application.
- Fee of \$410** – This payment should be in the form of a check or money order, made out to the **U.S. Department of Homeland Security**. See FAQ #9 on page 5 of this guide for instructions on how to complete a check.
- Two identical passport photos** – Photos should be recent, no more than 30 days old, and taken specifically for this application. Ensure the photos are proper [U.S. passport size](#). Print your name and I-94 number on the back of each photo and place photos in an envelope.
- Signed and completed [Form I-765](#) (Application for Employment Authorization) – please see our [I-765 Instruction Guide](#) for more information in filling out this form.
- Work Permission Letter** – letter needs to explain the following:
 - Explain why employment is desired, such as personal enrichment or cultural exchange
 - Indicate the source and amount of financial support received by the Exchange Visitor
 - Provide a breakdown of monthly expenses of Exchange Visitor’s household
 - Demonstrate that the financial support received by the Exchange Visitor is sufficient to cover all monthly expenses listed in the breakdown
 - Describe how the income derived from the dependent employment will not be used for the support of the Exchange Visitor.
 - See our [J-2 EAD Letter Template](#) as an example (also found on pages 7-8 of this guide)
- Copies of Dependent’s DS-2019, visa, passport, and I-94** – Do not send originals
- Copies of Exchange Visitor’s DS-2019, visa, passport, and I-94** – Do not send originals
- Evidence of Dependent’s relationship to the Exchange Visitor:**
 - If dependent spouse: provide copy of marriage certificate
 - If a minor child: provide copy of birth certificate
 - Note: Include certification of translation, if documents are not in English
- **Reviewing your Application Documents** - Once you have gathered all the required documentation, as listed in the previous section, you are welcome to make an appointment with either a J-1 Scholar Advisor or a J-1 Student Advisor in order to review your application packet

for completeness. An advising appointment to review your packet is not mandatory, but it is recommended. In order to make an appointment to review your application packet, please call the ISSS office at 801-581-8876 or email the J-1 Scholar Team at internationalscholars@utah.edu or the J-1 Student Team at international@utah.edu.

- **Mailing your Application Documents** - When you are ready to submit your application packet to USCIS, use the address as listed on the [USCIS website](#). **Note:** The address of the USCIS Lockbox varies depending on the mail service provider you select and the state you are living in. **Filing Tip:** We recommend making copies of all the documents in your packet, including any checks or money orders mailed in to USCIS as proof of payment. It is important to keep these copies safe, in case your packet is lost in the mail or if an error has been made on your EAD card.

Receiving the EAD Card:

- The application for employment authorization as a Dependent takes an average of three months to be processed.
- If permission for employment is granted, an Employment Authorization Document (EAD) is issued and is valid for any kind of full-time or part-time employment for the period of time stated on the EAD card.
- The Dependent is not allowed to begin employment until having received the EAD card. Also, employment cannot continue beyond the end date stated on the EAD card.

Extending Employment Authorization:

- Employment authorization expires with the expiration of the EAD card; however, it is possible to extend employment authorization (if eligible) by filling a new I-765 along with all supporting documentation.
- The Dependent is only eligible to request for an employment authorization extension if the Exchange Visitor's program in the U.S. has been extended and/or if the EAD dates are shorter than the DS-2019 program dates.
- If requesting an EAD card extension due to the Exchange Visitor's program extension, please keep in mind that any extension of stay of the Exchange Visitor must be processed prior to the application for extension of employment authorization.
- In order to maintain continuous employment (without any time gaps), the Dependent must file the Form I-765 for extension of employment authorization sufficiently in advance of the current dates of authorization, so that the EAD extension application is processed before the expiration of the current EAD card.
- The Dependent can apply for an extension of work authorization up to 180 days before the current EAD expires.
- If the current EAD expires while the Form I-765 is pending, the Dependent must cease employment until receiving the new EAD.

Frequently asked Questions:

1. How long does it take for my Employment Authorization request to be processed by USCIS?

The application process for dependent employment authorization can take from three to five months; the average is three months.

2. How long can J-2 Employment Authorization be granted?

Employment can be authorized for the entirety of the Exchange Visitor's program; however, more typically it is granted for a year at a time. If you would like to be granted work authorization for more than a year, we recommend including this in the Work Permission Letter (see [J-2 EAD Letter Template](#) also found on pages 7-8 of this guide). It is not guaranteed, however, that it will be granted for more than a year at a time.

3. Should I keep a copy of my application for Employment Authorization?

Yes. We recommend you always keep copies of all official documents related to your immigration status. We also strongly recommend that you make copies of any checks or money orders that you mail in to USCIS as proof of payment in the case your application is lost in the mail. In case USCIS makes an error on your EAD card, one way to prove the error was theirs (and not yours) is to keep copies of the documents you submitted.

4. How can I check on the status of my application?

Per your G-1145, USCIS should text you notification that they have received your EAD application and added it to the processing queue. USCIS will then mail you an I-797 Receipt Notice that will have a receipt number. You can use the receipt number to access information about your application through [USCIS Case Status](#).

5. I do not have a U.S. bank account. Is it okay that I pay the I-765 fee using a check from my spouse's/parent's U.S. bank account?

Yes. Just make sure that a name and address are printed on the upper left hand corner of the check. If you use a "temporary check" which are issued by banks when opening a new account, you can write-in the name and address.

6. I have a job offer but my EAD card has not arrived yet. Can I begin work?

No. The EAD card is what signifies you have work authorization. You must have received your EAD card as proof of your legal work status. Any employment done before the EAD card has arrived is not legal.

7. I have received my EAD card. Am I allowed to work part-time?

Yes, you are allowed to work either full-time or part-time.

8. My EAD has expired. However, I have applied for an extension and my application is currently being reviewed by USCIS. Am I allowed to continue working while I wait for the processing of the extension?

No. Employment authorization expires with the expiration of the EAD card. You must cease employment at the end date stated on your EAD card. You may resume employment once you have received a new EAD card and only within the work authorization date range printed on the new EAD card.

9. Why do I need to write a Work Permission Letter?

A dependent can apply to USCIS for employment authorization only if the employment is not for the purpose of supporting the Exchange Visitor. Therefore, a Work Permission Letter serves the purpose of stating that the Exchange Visitor has sufficient funding to support themselves for the length of their program, and that the dependent is seeking employment for reasons other than to support the Exchange Visitor.

10. How do I complete a check/money order?

Sample Check/ Money Order

The image shows a sample check/money order form with the following fields and numbered boxes:

- 1:** DATE
- 2:** PAY TO THE ORDER OF
- 3:** \$ (Amount in Dollars)
- 4:** DOLLARS (Amount in Words)
- 5:** FOR (SEVIS ID)
- 6:** (Signature)

Additional fields on the form include: NAME, ADDRESS, CITY, STATE, ZIP; BANK NAME, ADDRESS, CITY, STATE, ZIP; and Bank Routing Number, Bank Account Number, and Check Number.

- 1: Date: MM/DD/YYYY
- 2: U.S. Department of Homeland Security
- 3. \$410.00
- 4. Four-hundred and ten dollars
- 5. SEVIS ID (starts with "N00", found on your DS-2019)
- 6. Your signature

Note: If you have a money order please check with the issuer on where to put the information listed above as it can differ depending on the type of money order.

Letter Template

Date

USCIS Officer
U.S. Citizenship and Immigration Services

Dear Officer:

I would like to apply for J-2 dependent work authorization, as allowed by the federal regulations. My J-1 spouse, **(list J-1 Name)**, receives a monthly payment in the amount of **(\$ amount)** from **(specify source)**.

Our monthly expenses are:

ITEM	COST
Rent and Utilities	(\$ amount)
Food	(\$ amount)
Medical Expenses (including Health Insurance)	(\$ amount)
Miscellaneous (clothing, transportation, recreation, etc.)	(\$ amount)
Childcare (if applicable)	(\$ amount)
Total Expenses:	(\$ Expenses Per Month)

I believe that the difference between our income and expenses is sufficient to provide for living expenses:

ITEM	AMOUNT
Monthly Income	(\$ amount)
Monthly Expenses	(\$ amount)
Excess Amount Per Month	(\$ Excess Amount per Month)

I wish to be employed to pursue my interests in **(topic)** and experience the American workplace and culture. The income from my employment will be used for customary recreational, personal, and cultural activities. I understand that my earnings should not be for the purpose to support my J-1 spouse. Enclosed are all required documents for my application: **(list documents included)**.

Thank you for your consideration of this request.

Sincerely,

(J-2 Signature)

(J-2 Name, as listed on DS-2019)

Note: If the Exchange Visitor's program is valid for more than one year, add the following statement before the "thank you..." – "I would like to request employment until the end date of my DS-2019 on **(program end date)**, under federal regulations 8 CFR274a.12(a) and (c)."