



WVHEPC J-1 Exchange Visitor Program

WORK PERMISSION FOR J-2 VISA HOLDERS

J-2 dependents may apply to the U.S. Citizenship and Immigration Services (USCIS) Service Center having jurisdiction over their place of temporary residence for permission to accept employment, provided the income from such employment will 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 for employment authorization is made on Form I-765 filed with USCIS and accompanied by the appropriate fee. Along with the Form I-765 one should submit a letter stating why the employment is desired, the source and amount of support for the principal participant, and specifically, that the income derived from employment will not be used for the support of the J-1 exchange visitor. Financial need is not a criterion for employment authorization of a J-2 dependent. However, USCIS sometimes requires a budget or statement of estimated expenses to determine that you have adequate income.

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 authorization.

In order to obtain an Employment Authorization Document (EAD) for J-2 work permission, you can make an appointment with the Responsible/Alternate Responsible Office at the HEPC institution your spouse is attending.. Bring the following materials with you:

1. A letter stating why the employment is desired and that it is not necessary for the support of the J-1 principal;
2. Copy of J-1's passport (include photo page and date of expiration), J-1 visa, and I-94 card;
3. Copy of J-2's passport (include photo page and date of expiration), J-2 visa, and I-94 card (front and back);
4. Copy of all DS-2019's (front and back) issued to the J-1 and J-2;
5. Check for \$520.00 made out to "The Department of Homeland Security";
6. 2 photos of J-2 dependent. The photos must take the following format: color photos with a white background taken no earlier than 30 days before submission to the USCIS. Photos should be unmounted, printed on thin paper, glossy and un-re-touched. The photos should be passport style photos.

Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. The photo should be 2 x 2 inches, with the distance from the top of the head to just below the chin measuring 1 to 1 3/8 inches. Lightly print your name and your I-94 card# on the back of each photo with a pencil.

7. Completed I-765 Form;

8. **IF THIS IS A RENEWAL OF A PREVIOUSLY AUTHORIZED WORK PERMISSION, PLEASE BRING COPIES OF ALL EAD'S EVER RECEIVED TO THE APPOINTMENT.**

This process could take up to 90 days. Please plan appropriately.

The EAD will be issued for the amount of time remaining on the J-1 visa holder's DS-2019. If extension of stay is required in conjunction with extension of work authorization, the extension of stay notification must be filed prior to the extension of employment authorization. It is important to file the Form I-765 for continuation of employment authorization in a timely manner in order to preserve the J-2's right to work. The new EAD must be received before the prior EAD expires or the J-2 dependent must stop working.

Additional information is available from HEPC and we are always willing to answer questions, give assistance and advice on federal regulations or help in any way possible during your stay in the U.S.