

## 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, so it is advisable to file for an extension no later than 3 months before it expires. 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 <http://www.uscis.gov> - "Forms"  
Answer to #16 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. I-94 cards of J-1 and J-2 (photocopy only – front and back).
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
  - J-2 visa
  - Include passport renewal page, if applicable

Two photographs placed in a small envelope.

Lightly print in *pencil* name of J-2 and I-94 Departure number on the back of each photo.

**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 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
- bare head, unless wearing a headdress required by a religious order to which you belong

**Suggested photographers:** UK Student Center, Room 107 - 257-1278  
Johnny Print - 547 S. Limestone - 254-6139  
Walgreens stores

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

## **IRS FORM 1-9 EMPLOYMENT ELIGIBILITY VERIFICATION**

When you begin work, your employer will ask you to complete Form 1-9, which requires you to document your work authorization. Your EAD card is acceptable proof both of your identity and your permission to work..

If your J-2 status expires, so will your EAD. If your J-1 spouse is approved for an extension of status, you will be issued an extended DS-2019. This is required before you can apply for an extension of your EAD. When you have the new EAD, you will need to update Form 1-9 with your employer. *A pending application for extension of status or for a new EAD does not authorize you to continue working*

## **SOCIAL SECURITY NUMBER**

You cannot apply for a Social Security number until you receive your employment authorization. Upon receiving your EAD, you can obtain a Social Security card by submitting the following documents to the Social Security Administration (SSA):

- Passport
- I-94 Departure card
- DS-2019
- EAD
- SS-5 form (obtained online at [www.ssa.gov](http://www.ssa.gov) or at the SSA office)

**Social Security Administration, 2260 Executive Drive, Lexington, KY 40509**  
**Monday-Friday from 9:00 am – 4:00 pm (closed on federal holidays)**

## **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. Every year 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. Therefore, I 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.*