# Carnegie Mellon University
## Office of International Education

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# Employment Based on Severe Economic Hardship

## Explanation

Employment based on severe economic hardship is authorized by US Citizenship and Immigration Services (USCIS) and is designed to address situations where a financial need beyond the student's control arises, which was unforeseen at the time the student applied to the school he or she is currently attending and after all other potential employment opportunities have proven insufficient. Examples of unforeseen economic hardship include:

Loss of financial aid or on-campus employment without fault on the part of the student,

Substantial fluctuations in the value of currency or exchange rate,

Inordinate increases in tuition and/or living costs,

Unexpected changes in the financial condition of the student's source of support,

Medical bills, or,

Other substantial and unexpected expenses.

**USCIS CAN TAKE UP T0 90 DAYS TO AUTHORIZE EMPLOYMENT BASED ON SEVERE ECONOMIC HARDSHIP, SO YOU SHOULD APPLY AT LEAST 3 MONTHS BEFORE YOU PLAN TO WORK.**

## Conditions and Limitations:

- You must prove to USCIS that the economic hardship was unforeseen (see above).
- You must have been enrolled as a full-time student in legal immigration status for at least one academic year.
- The work does not need to be related to your course of study. Employment based on severe economic hardship is designed for off-campus employment but can be done on campus.
- Authorization is granted in one-year intervals up to the expected date of completion of studies. You must reapply to the USCIS each year to renew this work authorization. Authorization ends if you transfer to another school.
- Work is limited to 20 hours per week while school is in session but can be full-time during official school breaks.
- Use of this category does not count towards the 20-hour on-campus limit, nor does it affect OPT/CPT eligibility.
- An offer of employment is not required as a condition of eligibility.
- **OFF-CAMPUS WORK IS PROHIBITED UNTIL YOU RECEIVE AUTHORIZATION FROM USCIS.**

## Application Process:

Approval from USCIS comes in the form of a small photo ID card called an Employment Authorization Document (EAD). To apply, follow the steps below.

### STEP 1: Document the Circumstances Causing the Economic Need

Write a statement describing the economic need and attach backup documentation; for example, a letter from home telling of a change in family circumstances or proof of a currency devaluation in your home country. Explain why other employment options are unavailable or insufficient; also provide information regarding your assets, income and expenses.

### STEP 2: Make an Appointment with your OIE Advisor

Call 412-268-5231 to make an appointment with your OIE advisor. **You will need to bring your passport, I-20, and information and documentation about the circumstances causing the economic need.**

### STEP 3: Prepare the USCIS Application Materials

APPLICATION PACKET MUST INCLUDE (in the following order):

- ❑ I-765 filing fee of $380. Check or money order payable to "US Department of Homeland Security."
- ❑ G-1145. Use this form if you wish to receive email or text confirmation of your receipt number from the Lockbox facility. Clip the form to the front of the OPT application. Find the form at: www.uscis.gov.
- ❑ Original I-765 form completed by you with your original signature (in blue ink). Use the most current version available from the "Forms" section of the USCIS website (http://www.uscis.gov).
- ❑ **Code on I-765:** Enter the correct code on the I-765 form (c) (3) (iii).
- ❑ Cover letter/checklist explaining that you are applying for employment based on severe economic hardship and listing the contents of the mailing.

- ❑ Two "passport" photos (www.travel.state.gov/passport/pptphotos/index.html). In pencil, print your name and write your admission number (I-94#) on the back of each photo. Passport photos can be obtained at:

| Tartans Ink (412-268-4828) University Center, Lower Level | Rite Aid (412-521-3900) 1700 Murray Avenue | US Post Office (412-421-1388) 1800 Murray Ave., Sq. Hill |
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- ❑ **Address on I-765**
  Note: the address you use must be valid for <u>at least</u> 3 months from the time you send the application. The US Postal Service will not forward the EAD even if you leave a forwarding address. If you choose to use OIE as your mailing address, put the address as: **5000 Forbes Ave, Int'l. Education, Pittsburgh, PA 15213**
- ❑ Letter (statement) explaining the circumstances of the hardship.
- ❑ Supporting materials documenting the unforeseen nature of the economic hardship and, to the extent possible, the unavailability of on-campus employment to meet the need.
- ❑ **Photocopy (NOT original) of new SEVIS I-20 with the new recommendation from OIE Advisor on page 3.** You must return to OIE to collect the new I-20 before you can proceed with this application.
- ❑ Photocopies of all previously issued I-20 documents dating back to beginning of F-1 status signed by you in item 11.
- ❑ Copy of I-94 record downloadable at www.cbp.gov/i94.
- ❑ Photocopy of the most recent ID page(s) of your passport (picture, number, and expiration date pages).
- ❑ Photocopy of the most recent US visa stamp (in a page of your passport).
- ❑ Copy of a previously issued EAD (if available).

## STEP 4: Mail the Application Pack to USCIS

When you have completed the entire application, make a complete set of photocopies for your files. If you are using a PA address, send all of the above items to the USCIS address below:

**Send via express mail (for example FedEx or UPS) to:**

USCIS
Attn: AOS
2501 S. State Hwy. 121 Business, Suite 400
Lewisville, TX 75067

- If you do not have a PA address, refer to I-765 instructions for mailing address (www.uscis.gov).
- Permission to begin work is not finalized until you have received the EAD from the USCIS.

## STEP 5: Wait For the EAD

Within one month of sending the application to the USCIS, you should get a standard receipt notice stating that USCIS has received the application. If you do not get this letter within 7 weeks contact OIE for more information. Use the case number in the top left corner of this receipt notice to call USCIS or to check case status online (http://www.uscis.gov). NOTE: Do not throw away your EAD card even after it expires. If you apply for employment authorization again, you will be asked to show proof of previous employment authorization in the form of a copy of previously issued EAD card(s).

**Employment Related Information:**

**Employment Eligibility Verification (I-9)**

- When you begin work, you and your employer must complete a form entitled "Employment Eligibility Verification" (IRS Form I-9), which verifies your eligibility to work in the US. The I-9 must be updated each time you receive a renewal of your work permission. This form requires you to document your identity and work authorization. For F-1 students, the most typical combination of documentation is: your passport, I-94, I-20, and EAD.
- Social Security Number (SSN)
  To be paid, you will also need to provide your SSN. To apply for an SSN or replacement card, take your passport, I-94, I-20, and EAD to the Social Security Administration. Note that your number will remain the same if you already had one.
- Social Security Withholding and Other Taxes
  In general, F-1 students who have been in the US fewer than five years are "non-residents for tax purposes" and are exempt from Social Security (FICA) and Medicare taxes. If you are a non-resident for tax purposes and your employer does withhold FICA, speak to your payroll office. You and your employer can refer to Internal Revenue Service Publication 519, "U.S. Tax Guide for Aliens" for additional information. Your earnings are subject to applicable federal, state, and local taxes. Tax returns must be filed on or before April 15 each year for the previous calendar year. The results of the filing will determine if any of the withheld income taxes can be refunded to you.