

Off-Campus Employment Due to Severe Economic Hardship

Purpose

This handout provides F-1 students with information about eligibility *for off-campus employment due to severe economic hardship*.

General Requirements

F-1 students may be eligible for off-campus work authorization due to economic hardship if:

1. In the opinion of the US Citizenship and Immigration Service (USCIS) the need to work is caused by *unforeseen circumstances not within the student's control* that arose after obtaining F-1 status. They 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 in the exchange rate;
 - unusually high increases in tuition and/or living expenses;
 - unusually high medical bills;
 - unexpected changes in the financial condition of the student's source of support
 - other substantial and unexpected expenses; **AND**
2. The student has been in lawful F-1 status for one full academic year, is in good academic standing, and demonstrates that the employment will not interfere with his enrollment in a full course of study; **AND**
3. The student demonstrates that she has made a good faith effort to locate on-campus employment before applying for employment based on economic hardship.

Application Procedures

You should contact International Admission and Advising Services so that a counselor can evaluate your situation and make certain that you meet the eligibility requirements for this type of employment authorization. You are not required to have a job offer before applying.

Application Checklist

- Form I-765**, the Application for Employment Authorization, marked with the code: (c) (3) (iii) at item 16
- A detailed letter written by you explaining the circumstances of the hardship. You should also submit any additional documents that may substantiate your claim.
- Sample budget for the school year (a sample form is attached)
- A check or money order in U.S. currency payable to "Department of Homeland Security" in the amount of \$340. (Effective July 30, 07, the fee will be \$340)
- Obtain 2 full frontal, passport style photos
- A copy of both sides of your Form I-94
- A copy of the visa page of your passport
- A copy of the biographical information pages of your passport
- An updated SEVIS I-20 (provided by your international student counselor)

- A copy of all of your previous I-20s
- A photocopy of any previous Employment Authorization Documents (EADs) you may have used. (If this is your first application for work authorization you will not have an EAD.)

Please bring your **passport and all of the items on the checklist** to your appointment with your international student counselor!

**Form I-765 is included in this packet of information. This form is also available on-line at:
<http://www.uscis.gov/files/form/I-765.pdf>

Review and Approval

1. **Authorization by the Immigration Service.** Your application for employment based upon severe economic hardship must be approved by USCIS before you begin working. If your application is complete and filed at a USCIS Service Center, you will be mailed a Form I-797 receipt notice. Approval of your application will be in the form of an *Employment Authorization Document* (EAD) issued by USCIS. The EAD card will include your photograph and signature, and will also indicate the exact dates of the authorized employment.
2. **Interim EAD:** If you have not received a decision within 90 days of receipt by the USCIS of a properly filed application, you may obtain interim work authorization by appearing in person at your local USCIS district office. You must bring proof of identity, any notices that you have received from the USCIS in connection with your application for employment authorization and a copy of your application documents. The San Francisco District Office is located at: 444 Washington Street, San Francisco, CA 94111. USCIS requires individuals seeking a temporary EAD to make an appointment. You can make an appointment online at: <http://www.infopass.uscis.gov/>.
3. The employment will be granted for a maximum of 12 months or up to your expected date of graduation, whichever is earlier. You may reapply for employment authorization before the 12 months expire. Employment based on economic hardship can be renewed only by USCIS and only if you are maintaining full-time status and are in good academic standing.
4. Your employment authorization is automatically terminated if you fail to maintain full-time student status.
5. Employment is authorized for 20 hours per week or less while school is in session or 40 hours per week during school holidays, vacations, or for students who are currently on their vacation term.

Social Security and Other Taxes

In general, F-1 students who have been in the US less than five years are exempt from Social Security (F.I.C.A.) taxes. Their earnings are subject to applicable federal, state and local taxes. Students must file a tax return on or before April 15 each year, which will determine if any of the withheld taxes can be refunded.

A Note of Caution

While USCIS regulations provide a variety of opportunities for F-1 students to be employed, working without authorization is a serious violation of F-1 status. Students should consult their international student counselor **before** beginning *any* employment. It is *the student's* responsibility to comply with all immigration regulations which apply to F-1 students. If students fail to comply with their responsibilities, they may not be eligible for benefits normally granted to F-1 students.

Further Information

Additional information on F-1 employment is available from the International Admissions and Advising Services. We are happy to offer information, counseling and assistance on all federal regulations related to maintaining your student status.

Other Frequently Asked Questions

❖ How long will it take to receive employment authorization?

Requests for employment authorization require a minimum of 90 days to process. Sometimes it can take as many as 120 to 140 days for the California Service Center to process your request. You will need to plan ahead!

❖ What kind of work can I do under severe economic hardship?

You can work in any field. This type of work authorization does not limit the type of job you can do.

❖ Does work under severe economic hardship affect my eligibility to apply for OPT or to work on-campus?

No. This type of work does not count towards the 20 hour per week on-campus maximum. In other words, you may still work 20 hours per week on campus and also work off-campus using your severe economic hardship authorization. It also does not affect your eligibility for optional practical training.

❖ Where do I mail my application?

We recommend that you send your application by U.S. certified mail or with delivery confirmation. You should mail your entire application packet to:

US Department of Homeland Security
US Citizenship and Immigration Service
California Service Center
P.O. Box 10765
Laguna Niguel, CA 92607-1076

❖ **How can I learn the status of my application?**

Check Your Application Status online at: <https://egov.immigration.gov/cris/jsps/index.jsp> or by calling: 1-800-375-5283. You will need to have your 13-character application receipt number. It is a 10 digit number preceded by the letters “WAC.”

❖ **When can I begin working?**

You must receive your Employment Authorization Document (EAD) from the California Service Center before you begin working. The first day that you may begin work is the start date indicated on your EAD.



International Admissions and Advising Services

GGU's Severe Economic Hardship Application Form

Student Information

Last Name: _____ First Name: _____

GGU ID#: _____ SEVIS ID#: _____

Degree Program: _____

If you would like your international counselor to submit a letter to USCIS in support of your application please provide a brief explanation as to why you are experiencing severe economic hardship and require off-campus employment.

Signature: _____ Date: _____

Sample Budget

Assets (name sources)	This Term	Next Term
1.		
2.		
3.		
4.		
Total Assets (add 1 – 4)	\$	\$
Income (name sources)		
5.		
6.		
7.		
8.		
9.		
10.		
Total Income (add 5 – 10)	\$	\$
Expenses (name sources)		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
Total Expenses (add 11 – 30)	\$	\$
Money Left (subtract Total Income from Total Expenses)	\$	\$