EMPLOYMENT BASED ON SEVERE ECONOMIC HARDSHIP

DEFINITION

One condition of approval for F-1 nonimmigrant status is that a student shows the ability to pay for his or her education and support while in the United States. The severe economic hardship employment authorization benefit is intended 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 to be insufficient.

CONDITIONS FOR ELIGIBILITY

- Students must have been in F-1 status for at least one full academic year (9 months) and be in “good standing” with the University of Wyoming.

- Students must prove to United States Citizenship and Immigration Services (USCIS) that employment is necessary due to severe economic hardship caused by circumstances beyond their control that arose after obtaining F-1 status.

- Employment based upon hardship will be granted by USCIS in increments of one year at a time, or until the program end-date, whichever is shorter.

- Authorization ends if a student transfers to another school.

- Limited to 20 hours per week while school is in session; can be full-time during official school breaks.

- Economic hardship is designed for off-campus employment but there is no specific prohibition on it being used for on-campus employment, however it is not necessary for most on-campus employment.

- Can be in any job. Does not have to be related to course of study. No offer of employment is required.

- Must apply for EAD from USCIS and receive EAD before employment begins. It must be applied for each year with continued documentation.
HOW TO APPLY

- Complete USCIS Form I-765 - included in packet or on the ISS OPT Information webpage. If you download the form from the USCIS.gov, please use (c)(3)(iii) for Question #20. You do not need to complete Questions #21-23. If you already have a social security number, skip Questions #9-13. If not, please complete these questions and USCIS will forward your application for an SSN to the Social Security Administration.

- Provide documentation of the circumstances causing the economic need: The student can write a statement describing the unforeseen hardship situation and, if possible, should attach backup documentation; for example, a letter from home telling of a change in family circumstances or proof of a currency devaluation in the student’s country. Must also explain why other employment options are unavailable or insufficient.

- Obtain two (2) passport photos (taken within the last 30 days).

- Check or money order for $410.00 payable to “US Department of Homeland Security”. (or attach Form I-912, Request for Fee Waiver and supporting documentation. Please see instructions for Request for Fee Waiver.)

Once you have all your documentation together, please make an appointment to come to ISS so we can issue a supporting Form I-20 and process your application.

For the appointment with ISS, bring: passports, visa, I-94 printout from www.cbp.gov/i94, all previous I-20s, UW transcript, plus any previous change of status paperwork or EAD cards.

Once USCIS receives the application, an official receipt notice will be sent to ISS and ISS staff will email the receipt to you. You may track the status of your petition at www.uscis.gov by clicking on the Check Case Status link and entering your receipt number from the receipt notice. ISS will notify you the day that we receive your approval and the Employment Authorization Document (EAD) card.

Renewals of current Employment Authorization may not be filed more than 90 days before your original employment authorization expires. If you need uninterrupted work authorization, you must apply early enough to that the EAD is received before the expiration date of the prior one since continued employment during the pending period of an EAD extension request is not authorized.

If you have any questions, please do not hesitate to contact ISS for more information.

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