



How to Get Permission to Work in Minnesota



This fact sheet talks about how to get permission to work in Minnesota. This is also called applying for “work authorization.” This fact sheet tells you:

- Who can work legally in Minnesota
- What employers are allowed to ask you about
- The steps to ask for a work authorization permit
- Tips for filling out the work authorization form

To read this fact sheet in Spanish, go to:

lawhelpmn.org



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Who Can Work

Can I work in Minnesota?

If you are not a U.S. citizen, you need permission from the government to work legally for a business or for another person. You can apply for “work authorization” using Form I-765. If you work without permission, it could harm your immigration case.



Do I need work authorization to start a business?

No. You do not need work authorization or a Social Security number to start a business in Minnesota. But depending on the type of business, you might need to apply for special licenses to serve food and use certain equipment. You do not need a license to start all businesses. Example: You do not need a license to start a cleaning business.

Can anyone apply for work authorization?

NO. To apply for work authorization, you must:

- **Already have some type of status.** Example: you can apply for work authorization if you are a refugee or have been granted asylum. **OR**
- **Have a pending application.** Example: you can apply for work authorization if you have a pending asylum or green card application.

Can my employer ask to see proof that I am allowed to work?

Yes. Employers can only hire people with permission to work. The law says employers must check the identity and work eligibility of every person they want to hire. This applies to everyone, not only immigrants. Workers must complete an I-9 Form to confirm their identity and that they are allowed to work.

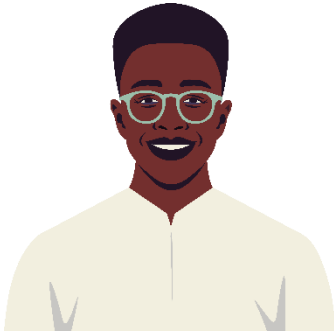
What documents will my employer ask to see?

Employers ask all workers to complete an I-9 Form within 3 days of starting a job. You must show documents to prove who you are. You must show documents to prove you have permission to work. The I-9 Form has a list of documents that can be used to prove your identity and eligibility to work.

What should I do if my employer asks me to fill out an I-9 Form?

If an employer asks you to fill out an I-9 Form, you must do it.

- Do NOT say you are a U.S. citizen if you are not.
- Do NOT use a fake name, document, or Social Security number.
- Do NOT use someone else's information on an I-9 Form. This might prevent you from ever getting permanent status in the U.S.
- When you fill out an I-9 Form, you choose what documents from the list to show. Your employer cannot demand that you show 1 specific document.



Example: Daahir's I-9 Form

Daahir filled out an I-9 Form for his new job. He showed his employment authorization document to prove that he is eligible to work. His employer told him he cannot use that document. The employer said Daahir must show a green card if he wants to work. **It is illegal for an employer to do this.** Daahir should talk to a lawyer.

Will my employer send my information to immigration?

No, but your employer must keep your I-9 Form on file. They must show it to the government if the government asks to see it. If your employer uses E-Verify, that information is shared with the Department of Homeland Security.

How do I renew my work authorization?

Use the same steps to apply the first time or renew your application. See the “Steps to Apply” and “How to Fill Out Form I-765” parts of this fact sheet for help. **You should apply to renew your work authorization at least 180 days before it expires.** Talk to a lawyer before renewing your work authorization if:

- Your current work authorization has already expired.
- Your current work authorization will expire in less than 180 days.
- You were convicted of any crime since your first work authorization application.

Steps to Apply

How do I apply for work authorization?

There are 4 steps to apply for work authorization.



Fill out Form I-765.

Go to uscis.gov/i-765 or scan the QR code to get the most recent edition of the form. **You must fill out the most recent edition of the form.** USCIS will not accept your



application if you use an old version of the form. The form edition is written on the bottom left corner of each page on the form. Example: It could say, “Edition 08/28/24”. There are instructions in the “How to Fill Out Form I-765” part of this fact sheet.

Gather documents to send with your application.

Send 5 things with work authorization application:

- Completed Form I-765.**
- Copy of 1 document that proves your identity.** The document must have been issued by the United States or other country’s government. If the document is not in English, you must get it translated. Examples of acceptable documents include:
 - Previous employment authorization document if you are renewing your application
 - Passport showing your picture, name, and date of birth
 - Birth certificate if it has your photo on it. **OR** a birth certificate **AND** a photo ID
 - Visa issued by a foreign consulate
 - National ID document with photo and/or fingerprint.



STEP 3



- **Copy of 1 document that shows your current immigration status / eligibility to work.**

Examples of acceptable documents include:

- I-94 Arrival-Departure Record
- Decision from an Immigration Judge
- Decision from USCIS such as asylum or VAWA
- Receipt notice showing pending application for relief

- **Two identical 2-inch x 2-inch passport photos.**

You can take passport photos at stores like CVS, Wal-Mart, or Target.

- **Fee OR a fee waiver application (IF required).**

Go to uscis.gov/feecalculator to see if you are required to pay a fee to apply. Not all applications require a fee.

- If you owe a fee, send a money order or check. A money order is the best way to pay.
- If you cannot afford the fee, apply for a fee waiver. LawHelpMN's website has a fact sheet on how to apply for a fee waiver. Go to: lawhelpmn.org/self-help-library/fact-sheet/immigration-fee-waivers-0

Make a copy of your application.

Make a copy of your Form I-765 and the documents you send with your application. Keep the copy for your records.

STEP 4



Send your application to the U.S. Citizenship and Immigration Services (USCIS).

- Mail the application to the address that matches your eligibility category. Your eligibility category is in question 27 in part 2 of Form I-765. Go to uscis.gov/i-765-addresses to find the mailing address.
- Tell the Post Office that you need to track your application when you mail it. Purchase tracking at the Post Office so that you know when your application is delivered. Make sure to get proof or a receipt when it is delivered.



You can apply for work authorization online.

If you prefer, you can fill out your work authorization application online. The application is the same as if you send it by mail. You have to fill out Form I-765 and upload the same supporting documents. Scan the QR code or go to: uscis.gov/i-765.



If you fill out the application online, you must:

- Create an account on USCIS' website
- Know your immigration category before you start.
- Know how you entered the U.S.
- Know your current immigration status
- Be able to scan and upload attachments
- Be able to print part of the application. If someone helped you fill out Form I-765, they need to sign a statement.

If you don't have a computer, you can find a free legal kiosk at: legalkiosk.org/locations. Many public libraries have computers people can use for free.



How to Fill Out Form I-765

General Information

- The instructions in this fact sheet are based on “Edition 08/28/24” of Form I-765. There are more instructions at uscis.gov/sites/default/files/document/forms/i-765instr.pdf
- Type your answers or write them in black ink.
- Do not use a false name or write any false information on the form.
- If something on the form does not apply to you, write, "N/A" (Not Applicable) in the space.
- If you need more space for an answer, use “Part 6: Additional Information.”

Part 1. Reason for Applying

Part 1 has 1 question. Choose the answer that matches why you are applying for work authorization. Pick 1 answer.

- **If applying for the first time**, check box 1a.
- **If replacing a lost document**, check box 1b.
- **If renewing**, check box 1c.

If you checked box 1b or box 1c and you were convicted of any crime since you were first given permission to work, talk to a lawyer before applying.



How This Question Looks On the Form

Part 1. Reason for Applying

I am applying for (select **only one** box):

- 1.a. Initial permission to accept employment.
- 1.b. Replacement of lost, stolen, or damaged employment authorization document, or correction of my employment authorization document **NOT DUE** to U.S. Citizenship and Immigration Services (USCIS) error.
- NOTE:** Replacement (correction) of an employment authorization document due to USCIS error does not require a new Form I-765 and filing fee. Refer to **Replacement for Card Error** in the **What is the Filing Fee** section of the Form I-765 Instructions for further details.
- 1.c. Renewal of my permission to accept employment. (Attach a copy of your previous employment authorization document.)

Part 2. Information About You

This part has 31 questions about your identity, how you entered the U.S., and your current immigration status. This fact sheet gives tips for filling out **some** of the harder questions. Make sure to read and answer **all** the questions in Part 2 of Form I-765.

- **Question 1a (Family Name).** If you have 2 last names, write both last names in the Family Name box.
- **Question 9 (USCIS Account Number).** Your USCIS account number is different from your A-Number.
 - **If you filed an application or petition using the USCIS online filing system,** you have an account number. To find your account number, log in to your account and go to the profile page.
 - **If you filed applications or petitions on a paper form through a USCIS Lockbox facility,** you have an account number. It is on your Access Notice.
 - **If you do not have a USCIS Online Account Number,** write “N/A” here.
- **Question 11 (Marital Status).** If your marriage is not recognized by the government or legal system of the place where you were married, do not answer, “Married.”
- **Questions 13a, 14, and 15 (Social Security Number).** If you do not have a Social Security number, you can apply for one with this form. If you want a Social Security number, answer “yes” on questions 14 and 15.



How This Question Looks On the Form

- 13.a.** Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?
- Yes No

NOTE: If you answered “No” to **Item Number 13.a.**, skip to **Item Number 14.** If you answered “Yes” to **Item Number 13.a.**, provide the information requested in **Item Number 13.b.**

- 14.** Do you want the SSA to issue you a Social Security card? (You must also answer “Yes” to **Item Number 15.**, **Consent for Disclosure**, to receive a card.)
- Yes No

NOTE: If you answered “No” to **Item Number 14.**, skip to **Part 2.**, **Item Number 18.a.** If you answered “Yes” to **Item Number 14.**, you must also answer “Yes” to **Item Number 15.**

- 15. Consent for Disclosure:** I authorize disclosure of information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security card.
- Yes No

NOTE: If you answered “Yes” to **Item Numbers 14. - 15.**, provide the information requested in **Item Numbers 16.a. - 17.b.**

- **Questions 21a (Form 1-94 Arrival-Departure Record Number).** When you were admitted to the U.S., Customs and Border Protection (CBP) might have given you a Form I-94. This form has your Arrival-Departure Record Number. To get a copy of your Form I-94:
 - If you entered the U.S. at a seaport or airport after April 30, 2013, go to: cbp.gov/i94 **OR**
 - **File Form I-102** (Application for Replacement/Initial Nonimmigrant Arrival-Departure Record). Get Form I-102 at: uscis.gov/i-102
- **Question 21b (Passport Number of Your Most Recently Issued Passport).** If you used a passport or travel document to travel to the U.S., write that number here. If you did not travel to the U.S. with 1 of these documents, write “N/A.”



- **Question 27 (Eligibility Category).** This is the most important question on **Form I-765**. If you write the wrong category, your application will be denied. Use the table below to choose your category. **If you do not know your category, talk to a lawyer.**

How The Question Looks On the Form

Information About Your Eligibility Category

27. Eligibility Category. Refer to the **Who May File Form I-765** section of the Form I-765 Instructions to determine the appropriate eligibility category for this application. Enter the appropriate letter and number for your eligibility category below (for example, (a)(8), (c)(17)(iii)).

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You must already have some type of immigration status **OR** a pending immigration application to apply for work authorization. **Do NOT apply for work authorization if none of the categories match your status.**

Immigration Status Which 1 of these answers describes you?	Category Write this 3-digit code on question 27.
Refugee	A03
Asylee (Granted Asylum)	A05
Withholding of Removal	A10
T-1 nonimmigrant	A16
Family member of T-1 nonimmigrant	C25
U-1 nonimmigrant	A19
Family member of U-1 nonimmigrant	A20

Immigration Status Which 1 of these answers describes you?	Category Write this 3-digit code on question 27.
Pending asylum application	C08
Pending green card application	C09
Pending cancellation of removal	C10
Public interest parolee	C11
Deferred action	C14
Order of supervision/CAT	C18
VAWA self-petitioner	C31
DACA. DO NOT APPLY WITH FORM I-765	C33

- **Question 30 ((c)(8) Eligibility Category).** Answer this question if you have a pending asylum application and answered “C08” for question 27. If you do not have a pending asylum application, do not answer this question.

Part 3. Applicant’s Statement, Contact Information, Declaration, Certification, and Signature

Sign the statement to confirm what you wrote on the form is correct. Write the address and phone number where USCIS can reach you.

Part 4. Interpreter’s Contact Information, Certification, and Signature

Did an interpreter help you fill out the form?

- **If yes,** write their name and contact information. They must sign the form.
- **If no,** skip these questions.

Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant

A “preparer” is anyone who helped you fill out the form. This might be a family member, friend, or lawyer. Did anyone help you fill out the form?

- **If yes,** write their name and contact information. They must also sign the form.
- **If no,** skip these questions.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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