Classes of Immigrants Authorized to Work in the United States

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he Immigration Reform and Control Act of 1986 (IRCA) requires all employers to verify the employment authorization of individuals they hire. Immigrants receive work authorization from the Department of Homeland Security (DHS) either by virtue of their legal status, or because they are eligible to apply for permission to work as part of a pending application. The DHS issues documentation of employment in various forms, including work permits, which are technically called "Employment Authorization Documents," or EADs. The complete list of the classes of immigrants who are eligible for work authorization can be found in 8 CFR 274a.12.

This chart lists the most common categories of immigrants who can receive work authorization. The chart also lists the corresponding code that appears on the EAD indicating the person's immigration status. This code refers to the section of the regulation authorizing employment (e.g. an asylum applicant would be issued a card containing the code "274a.12(c)(8)").[1] Finally, the chart shows which individuals are subject to reverification if they present an employment authorization document that contains an expiration date. Lawful permanent residents may not be reverified. Some individuals listed on the chart—namely **refugees** and **asylees**—may present unrestricted Social Security cards paired with a List B document for employment eligibility verification (I-9) purposes, in which case they need not be reverified.[2]

X = not subject to reverification; √ = subject to reverification

Immigration Status	Code on EAD	Subject to Reverification?
Lawful permanent resident (LPR) (with or without conditions)*	NONE [see 8 CFR 274a.12(a)(1)]	X
Refugee*	(a)(3)	√
Paroled as Refugee	(a)(4)	√
Asylee (Granted Asylum)*	(a)(5)	√
Fiancé(e) of U.S. citizen, or dependent of fiancé(e)	(a)(6)	√
Granted withholding of deportation or removal	(a)(10)	√
Granted Deferred Enforced Departure (DED) or extension of voluntary departure	(a)(11)	√

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[1] The list of individuals eligible for employment authorization and the corresponding codes for each category can be found in the USCIS Form I-1765 Instructions.

[2] *See* "Basic Information Brief: Reverification," www.nilc.org/immsemplymnt/IWR_Material/Attorney/BIB_Reverification.pdf.

Immigration Status	Code on EAD	Subject to Reverification?
Granted temporary protected status (TPS)	(a)(12)	√
Granted voluntary departure as part of Family Unity program	(a)(13)	√
Granted Family Unity benefits under the Legal Immigrant Family Equity (LIFE) Act	(a)(14)	√
Granted V nonimmigrant status	(a)(15)	√
Granted T (victim of human trafficking)	(a)(16)	√
Granted U (victim of certain crimes) nonimmigrant status	(a)(19) and (a)(20)	√
Dependent of a foreign government official	(c)(1)	√
Domestic servant of a U.S. Citizen	(c)(17)	√
Foreign students (seeking optional practical training)	(c)(3)(A)-(C)	√
Foreign students (seeking off-campus employment)	(c)(3)(ii)-(iii)	√
Foreign student seeking practical training after completing studies	(c)(6)	√
Asylum applicant	(c)(8)	√
Applicant for adjustment to lawful permanent resident status	(c)(9)	√
Applicant for suspension of deportation or cancellation of removal	(c)(10)	√
Paroled for emergent or public interest reasons	(c)(11)	√
Granted deferred action	(c)(14)	√
Employee of US citizen living abroad on visit to US	(c)(17)(ii)	√
Under order of supervision	(c)(18)	√
Applicant for temporary protected status (TPS)	(c)(19)	√
Granted S Visa (Nonimmigrant witness or informant and dependents status)	(c)(21)	√
LIFE legalization applicant	(c)(24)	√
Immediate family member of T status nonimmigrant	(c)(25)	√

* The first three categories on this chart — lawful permanent residents, refugees, and asylees — are authorized to work indefinitely. This is why these individuals are entitled to an unrestricted Social Security card.