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WORK AUTHORIZATION FOR TEMPORARY PROTECTED STATUS (TPS) HOLDERS

TPS designations have changed frequently since January 2025, making it more important than ever to stay informed, as changes to your country's designation can directly affect your ability to work in the United States.

Employment Authorization Under TPS

If U.S. Citizenship and Immigration Services (USCIS) approves your application for TPS, you may apply for an Employment Authorization Document (EAD), also known as a work permit, by filing Form I-765, Application for Employment Authorization with USCIS. An EAD allows you to:

- Work legally in the United States
- Obtain a Social Security number
- Provide proof of lawful work authorization to employers

Your EAD is tied to your TPS, so your EAD may remain valid even after the date printed on it. This can happen when USCIS issues an automatic extension, when a court delays a TPS termination, or during a wind-down period after termination. In other instances, even if your EAD has not expired, you may no longer be authorized to work because the government terminated your TPS. Because the rules around EAD validity can change quickly, consult an immigration attorney and visit USCIS's website to check your country's status.

Automatic Extension of TPS-Based EADs

When the U.S. government extends or redesignates TPS for a country, USCIS publishes a notice, which may tell you if your EAD is automatically extended. If your EAD is automatically extended, it may be valid past the expiration date printed on your EAD card. Typically, your EAD will be extended for no more than 1 year.

If you are not sure if your EAD is valid you can check the USCIS TPS page, the country-specific Federal Register notice, any USCIS notice you received, or consult a lawyer.

Maintaining Your Work Authorization

To protect your work authorization, you should:

- **Register and re-register for TPS on time, within USCIS deadlines.**
- **File Form I-765 early** for initial and renewal EADs to avoid gaps in work authorization.
- **Update your address with USCIS** within 10 days of moving by filing Form AR-11.
- **Stay informed about your country's TPS designation and related court orders at** uscis.gov. An immigration attorney can help you track these developments.
- **Keep copies of all important documents**, including applications, USCIS receipts, biometrics, and approval notices, the front and back of all EADs, and relevant Federal Register notices.

Your Rights at Work

As a TPS-based EAD holder, it is important to know your rights in the workplace. **Federal law protects you from discrimination based on national origin or immigration status. Your employer must accept a valid TPS-based EAD,** including one that has been automatically extended, so long as it reasonably appears genuine and relates to you. Refusing to accept valid documents or demanding extra documents may violate federal anti-discrimination law. Speak with an attorney if this is happening.

This flyer is intended for general information purposes only and does not constitute legal advice. You should not act or rely on any information in this flyer without consulting a competent, licensed immigration attorney. ***please contact Nachman, Phulwani, Zimovcak & Batra Law Group, P.C. at 201-670-0006 (x104) or email to info@visaserve.com.***