



U.S. DEPARTMENT OF JUSTICE  
IMMIGRANT & EMPLOYEE RIGHTS SECTION  
CIVIL RIGHTS DIVISION

# WORKERS WITH TEMPORARY PROTECTED STATUS PROTECT YOUR RIGHT TO WORK

**T**emporary Protected Status (TPS) gives workers a temporary right to remain in the United States. If you have TPS, you are eligible for a work permit, also called an Employment Authorization Document (EAD). Those with Deferred Enforced Departure (DED) also have this right to work, and the information below generally applies to workers with DED in addition to workers with TPS. The law governing TPS is found at [8 U.S.C. § 1254\(a\)](#) and regulations are at 8 C.F.R. 244. The President can authorize DED as part of the President's power to conduct foreign relations. Regulations on the categories of people eligible for work permits are at [8 C.F.R. 274a.12](#).

## **Your EAD may continue to be valid past its expiration date.**

The government may extend TPS for your country. The government announces TPS extensions in the Federal Register. If the government extends TPS for your country, the Federal Register will notify you that you must re-register for TPS and apply for a new EAD to keep working.

Sometimes, the government also extends TPS EADs through the Federal Register. The Federal Register notice will tell you whether your EAD automatically has a new expiration date so you can keep working while you wait for your new EAD. Go to [www.uscis.gov/tps](http://www.uscis.gov/tps) for information on TPS for your country and the Federal Register notice.

If the government does not automatically extend your EAD through the Federal Register notice but you have applied to renew your TPS EAD, you may be able to keep working after the expiration date on your EAD, while you wait for your new EAD.

For 180 days after your EAD expiration date, you can present your TPS (but not DED) EAD with the I-797C receipt notice showing that the government received your EAD renewal application. If the Federal Register notice automatically extends your EAD, you do not have to show an I-797C with your EAD to keep working. For more information on automatic extensions of EADs, read this [USCIS Fact Sheet](#), the [Handbook for Employers on Completing the Form I-9](#), and 8 C.F.R. 274a.2(b)(1)(vii). You can also call the Immigrant and Employee Rights Section (IER) for more information.



**Your EAD is valid until the end of the EAD extension period.**

If you have an automatically-extended EAD, your EAD or the combination of your EAD and I-797C are valid Form I-9 documentation until the end of the EAD extension period. You can find more information about this by contacting IER and at [8 C.F.R. 274a.2\(b\)\(1\)\(vii\)](#). If your employer does not accept your documentation or asks for additional documents, call IER and we may be able to help. Depending on the facts, this may also violate the law IER enforces at 8 U.S.C. § 1324b(a)(6).

**By the end of the EAD extension period, you need to show your employer you are allowed to continue working.**

When the EAD extension period ends, that EAD is no longer valid. Under a different law (8 U.S.C. § 1324a), your employer needs to see another document for the Form I-9 to see whether you are authorized to work. By the end of this extension period, you should have your new EAD. You may show your employer that document or any other acceptable [List A](#) or [List C](#) document.



**U.S. Citizenship and Immigration Services (USCIS)**

**1-800-375-5283**

[www.uscis.gov/tps](http://www.uscis.gov/tps)

TTY 1-800-767-1833

**Immigrant and Employee Rights Section (IER)**

**1-800-255-7688**

[www.justice.gov/ier](http://www.justice.gov/ier)

Calls can be anonymous and language services are available.

TTY 1-800-237-2515

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