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GUIDANCE FOR EMPLOYERS OF REFUGEES WHO HAVE NOT YET ADJUSTED THEIR STATUS TO LAWFUL PERMANENT RESIDENTS

The International Refugee Assistance Project (IRAP) is a nonprofit organization that provides legal services to refugees. This guidance is intended for employers of individuals with refugee status.

Refugees who have not yet become lawful permanent residents (green card holders) are authorized to work in the United States, regardless of whether they have an unexpired employment authorization document (EAD).

Refugees are automatically authorized to work because of their refugee status. This is evident in U.S. Immigration Law 8 C.F.R. §274a.12. To demonstrate employment eligibility, a refugee need only show a Form I-94 with an unexpired refugee admission stamp or an admission class of “RE.” U.S. Citizenship and Immigration Services, *Handbook for Employers M-274*, ch. 7, §3 available at:

<https://www.uscis.gov/i-9-central/form-i-9-resources/handbook-for-employers-m-274/70-evidence-of-employment-authorization-for-certain-categories/73-refugees-and-asylees>.

Some refugees may have an EAD; **however, refugees who do not have an EAD or whose EAD has expired are still authorized to work in the United States.** Refugees may demonstrate employment eligibility with only an I-94 documenting their refugee status.