



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

EMPLOYMENT RIGHTS AND RESOURCES FOR REFUGEES AND ASYLEES

If you are a refugee or asylee, you have permanent permission to live and work in the United States. Several federal laws protect your right to work, regardless of where you live in the United States. This document will help you learn more about your rights and provide you with the government agency to contact if you have questions or problems. Contact information for each agency is below.

1. What kinds of jobs can I get?

You can work in almost any job for which you are qualified. Under a part of the Immigration and Nationality Act, the general rule is that your status as a refugee or asylee cannot prevent you from getting a job. If you see that an employer only wants to hire U.S. citizens or does not want to hire asylees or refugees, this may be illegal discrimination under this law at 8 U.S.C.

§ 1324b(a)(1)(B). For information about discrimination, see question 3 below or call the Immigrant and Employee Rights Section (IER), an office in the U.S. Department of Justice's Civil Rights Division, which enforces this law.

2. What can I expect after I'm hired?

Payroll and Tax Forms

Your employer will report your wages to the Social Security Administration (SSA) and deduct taxes based on the information you provide. If you get a job, but do not have your Social Security number (SSN) yet, [SSA](#) instructs employers that employees are allowed to work while waiting for the SSN. If your employer submits a W-2 before you get your SSN, your employer will write "Applied for" in the SSN field of a paper W-2 or enter all zeros (000-00-0000) in the SSN field of an electronic W-2.

Form I-9

A different law found at 8 U.S.C. § 1324a(b) requires all workers to complete a Form I-9 and provide their employers with documentation to prove their identity and their right to work in the United States. Refugees and asylees mark the "alien authorized to work" box on the Form I-9. You then decide which documentation to present from the Lists of Acceptable Documents, attached to the Form I-9. Asylees and refugees may have several of the documents on these lists. Call IER if you have questions about the documents you can present or if your employer will not accept your valid document.

If your employer is unfamiliar with a valid document you present, such as a refugee or asylee I-94, or a Department of State Transportation Boarding Letter, you may encourage them to contact IER for assistance.

Form I-9 instructions explain that the SSN field on the Form I-9 is optional, unless an employer uses E-Verify. A federal law (found at 8 U.S.C. § 1324a) requires your employer to check your identity and right to work, but you do not need to have an SSN to complete the Form I-9 and to begin working for pay. You may call IER's hotline or contact the Equal Employment Opportunity Commission (EEOC) if a company requires you to have an SSN to get a job.

E-Verify

E-Verify is an electronic system that compares information from the Form I-9 with government databases to confirm that a worker has permission to work in the United States. Not all employers use E-Verify. If you get a job with an employer that uses E-Verify, your employer must obtain your SSN to create an E-Verify case. More information is available at www.e-verify.gov and at 8 U.S.C. § 1324a note Sect. 403(a)(1)(A). If you do not have your SSN yet, [E-Verify guidance](#) instructs your employer to wait and create an E-Verify case after you receive your SSN. Under E-Verify guidance, your employer should let you work while you wait for your SSN, even if it takes weeks or months. There are many other rules regarding E-Verify, and you can call the E-Verify hotline or IER if you have questions.

3. What protections do I have against discrimination (difference in treatment) at work?

Under the INA (8 U.S.C. § 1324b(a)(1)(B)), the general rule is that an employer is not allowed to refuse to hire you or fire you (discriminate against you), because of your citizenship status. Citizenship status includes a person's immigration status.

Under federal law (8 U.S.C. § 1324b(a)(1)(A) and 42 U.S.C. § 2000e-2), the general rule is that an employer is not allowed to refuse to hire you or fire you, because of your place of birth, native language, accent, or other national origin indicator. National origin complaints against employers that have four to 14 employees go to IER. National origin discrimination complaints against employers with 15 or more employees go to the EEOC.

Although there are some exceptions, these protections cover you when you apply for jobs, when a company hires (or chooses not to hire) you, or fires you.

There may be additional protections under state or local law. For questions about citizenship status, immigration status, or national origin discrimination, contact IER.

For questions about discrimination based on national origin, race, religion, sex, color, age, disability, or genetic information, call the EEOC.

During the Form I-9 process, under the INA (8 U.S.C. § 1324b(a)(6)), an employer is not allowed to reject your government ID and unrestricted Social Security card because of your citizenship status or national origin. The same law also makes it illegal for an employer to reject your documents or ask you for specific documents, such as an Employment Authorization Document (EAD) because of your citizenship status or national origin. If you call for help and ask us to get involved, IER may call your employer and provide information on the law to help resolve the issue.

4. What protections do I have against other kinds of unfair treatment?

You have the right to be paid for all work you do under the Fair Labor Standards Act, found at 29 U.S.C. § 201. Some workers are also eligible for overtime pay (one and one-half times the regular rate) after 40 hours of work in a workweek. You can find more information on this at 29 U.S.C. § 207. Some state and local laws require overtime pay in other situations as well. Contact the Department of Labor's [Wage and Hour Division](#) for more information.

You also have a right to safe and healthful workplace conditions and to speak up if you are concerned without fear of negative consequences. To learn more or ask for an inspection, contact the Department of Labor's [Occupational Safety and Health Administration](#) or refer to the Occupational Safety and Health Act, beginning at 29 U.S.C. § 651.

With few exceptions, you have the right to join with your coworkers to ask your company to improve your wages or working conditions. Most workers also have the right to form, join, and support a union in the workplace. For questions about your labor rights, contact the [National Labor Relations Board](#) or refer to the National Labor Relations Act, beginning at 29 U.S.C. § 151.

All help described below is free.

<p>Immigrant and Employee Rights Section (IER) 1-800-255-7688 www.justice.gov/ier Free interpretation is available in many languages. In certain situations, IER may contact your employer to help resolve problems. TTY 1-800-237-2515</p>
<p>Equal Employment Opportunity Commission (EEOC) 1-800-669-4000 www.eeoc.gov TTY 1-800-669-6820</p>
<p>Department of Labor (DOL) Wage and Hour Division (WHD) 1-866-487-9243 www.dol.gov/whd TTY 1-877-889-5627</p>
<p>Department of Labor (DOL) Occupational Safety and Health Administration (OSHA) 1-800-321-6742 www.osha.gov TTY 1-877-889-5627</p>
<p>Social Security Administration (SSA) 1-800-722-1213 www.ssa.gov Employer responsibilities when hiring foreign workers TTY 1-800-325-0778</p>
<p>E-Verify 1-888-897-7781 www.e-verify.gov What E-Verify employers should do if a worker does not have an SSN TTY 1-877-875-6028</p>
<p>National Labor Relations Board (NLRB) 1-866-667-6572 www.nlr.gov TTY 1-866-315-6572</p>

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