



## Worker Fact Sheet

# Information for Workers Granted Asylum or Refugee Status About the Form I-9

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**Everyone starting a job as an employee in the United States completes the Form I-9, a government form that employers use to verify your identity and permission to work.**

This fact sheet is intended to help you as someone granted asylum or refugee status complete the Form I-9 and know your rights. Employers that discriminate against you based on your citizenship, immigration status, or national origin during the Form I-9 process might violate part of the Immigration and Nationality Act. This anti-discrimination law is found at **8 U.S.C § 1324b**.

## Completing the Form I-9

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**For Section 1 of the Form I-9, provide information about yourself.**

Put your name and other information about yourself in Section 1 of the Form I-9.

- You may ask someone to help you fill out this section.

You must mark a box showing the status that gives you permission to work.

- Someone granted asylum or refugee status should check the fourth box for “A noncitizen authorized to work.” There is a space to fill in an expiration date, if any, next to this box.
- Because your permission to work doesn’t expire, write “N/A” (which means “not applicable”) in the space for the expiration date.

## For Section 2 of the Form I-9, show your employer documentation that shows your identity and permission to work.

The Form I-9 has three lists of documents you can show for Section 2 of the Form I-9:

- **List A** (documents showing your identity and permission to work)
- **List B** (documents showing your identity)
- **List C** (documents showing your permission to work)

You must show your employer your choice of either:

- One List A document or
- A combination of one List B document and one List C document.

There are **receipts** listed at the bottom of the lists of documents. Receipts also are acceptable for the Form I-9 for varying lengths of time.

You have the right to choose the acceptable documentation you want to show from the **Form I-9 Lists of Acceptable Documents**.

Your employer can't require you to show specific documents based on your status as someone granted asylum or refugee status, or based on your national origin. **An employer that requires specific documents might be unlawfully discriminating.** For example, although you may have an Employment Authorization Document (EAD), you can decide to show other documentation instead, such as a state identification (a List B document) and an unrestricted Social Security card (a List C document).

### You may have several kinds of acceptable Form I-9 documents.

You may show an I-94 for the Form I-9. You will either get a paper I-94 from the Department of Homeland Security, or you can print your I-94 from the **Customs and Border Protection** website.

If you've been granted refugee status, **your I-94 is a receipt** for a List A document that is valid for 90 days from your first day of work. After 90 days, you must show your employer either an EAD or a combination of a **List B** document and an **unrestricted Social Security card**.

If you've been granted asylum, you can use your I-94 as a **permanent List C document** that does not expire.

Workers granted asylum or refugee status are eligible for EADs. If you decide to apply to renew your EAD and your application is filed by the expiration date listed on your EAD, you may be able to keep working with your existing EAD. **For a period of time** after the expiration date on your EAD, you can continue working by showing your employer your EAD with the I-797C receipt notice (showing that the government received your application for a new EAD). Call the Civil Rights Division's Immigrant and Employee Rights Section for more information on EAD automatic extensions.

You may also show receipts for **lost, stolen, or damaged** documents.

## Once you complete the Form I-9, your employer is only allowed to ask you for documents again in limited circumstances.

The rules for when an employer must ask for documents again are discussed in the **Handbook for Employers M-274**.

If you showed an EAD for the Form I-9, your employer will ask to see another document by the time your EAD expires to reverify your permission to work. At this step, you may choose to show either a **List A** document or a **List C** document, such as an unrestricted Social Security card. You can choose to show a new EAD, but you don't have to.

If you showed an unrestricted Social Security card for Section 2 as proof of your permission to work and entered "N/A" for the expiration date in Section 1, your employer is not allowed to ask you for more documents.

Employers that ask for documents when not required to, based on your asylee or refugee status or based on your national origin, might be violating the law. Call the Immigrant and Employee Rights Section for more information on when your employer is allowed to ask you for more documents.

## You can work while you wait for your Social Security number.

If you get a job but don't have your Social Security number, yet, the **Social Security Administration** instructs employers that workers are allowed to work while waiting for their Social Security number.

Your employer must always pay you for any work completed, even if you are still waiting for your Social Security number.

If you don't have your Social Security number by the time you start your job, leave the Social Security number box in the Form I-9 Section 1 blank.

If your employer uses E-Verify, E-Verify instructs employers to **delay creating the E-Verify case** until you receive your Social Security number. You may work during this time if you have completed the Form I-9. **E-Verify rules** specifically allow for this exception and provide employers with instructions for creating the case. More information is available at [e-verify.gov](https://www.dhs.gov/e-verify).

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## Contact Us



- For more help, call the Immigrant and Employee Rights Section's **Worker Hotline** at **1-800-255-7688** or 1-800-237-2515 for people with hearing disabilities.
  - Any assistance from us is free of cost. Calls can be anonymous, and free language services are available.



- To learn more, visit [justice.gov/ier](https://www.justice.gov/ier)
- To report discrimination, visit [justice.gov/crt/filing-charge](https://www.justice.gov/crt/filing-charge)