



U.S. Department of Justice
Civil Rights Division
Immigrant and Employee Rights Section

Employment Information Regarding Afghan Special Immigrant Visa Holders and Parolees

Afghan parolees who have received permission to work from the United States government, Afghan Special Immigrant Lawful Permanent Residents (LPRs), and Afghan Special Immigrant Conditional Permanent Residents (CPRs) are allowed to work in the United States. This fact sheet, issued by the [Immigrant and Employee Rights Section \(IER\)](#), provides general information about some of their employment rights. Afghan evacuees may have other immigration statuses or U.S. citizenship. Employers should not make assumptions about citizenship or immigration status, or the right to work, based on where someone is from.

Background on Special Immigrant Visa Status and Parole

- Special Immigrant Visa holders have permanent residence in the United States and are often referred to as “Special Immigrant LPRs” or “Special Immigrant CPRs.” Like other permanent residents, they can live and work in the United States based on their status as permanent residents.
- Individuals with parole, often referred to as “parolees,” can work in the United States if the U.S. Department of Homeland Security (DHS) grants them permission to do so. If it grants permission to work, DHS will issue a parolee an Employment Authorization Document, often referred to as an “EAD” or Form I-766.

Protections When Applying for Work and Reminders for Employers When Hiring Workers

- Refusing to hire Special Immigrant LPRs or Special Immigrant CPRs based on their citizenship or immigration status may violate the Immigration and Nationality Act (INA). Learn about [citizenship and immigration status discrimination](#) on IER’s website.
- Refusing to hire workers based on their Afghan national origin, such as parolees who have permission to work, Special Immigrant LPRs, or Special Immigrant CPRs, may violate the INA or other laws. Learn about [national origin discrimination](#) on the Equal Employment Opportunity Commission’s website.
- Laws such as the INA, Title VII of the Civil Rights Act of 1964, and 42 U.S.C. § 1981 protect workers from employment discrimination based on several factors, including citizenship, immigration status, national origin, race, and religion.

Reminders on Verifying Workers’ Permission to Work (Form I-9 and E-Verify)

- Upon hiring a worker, employers must use the Form I-9 to verify the worker’s identity and permission to work within three days after the individual begins working for the employer. Learn more about this process on [I-9 Central](#) and in USCIS’s [Handbook for Employers \(M-274\)](#).
- Federal law allows workers to choose which valid, acceptable documentation to present to their employer to prove their identity and permission to work in the United States, regardless of their citizenship, immigration status, or national origin. Workers may [contact IER](#) about unfair treatment in this process.
- Employers that discriminate in this process against individuals with permission to work might violate the INA. IER’s website has information on how to [avoid discrimination in the Form I-9 process](#).
- Some workers may not have their Social Security number (SSN) when they begin work. The [Internal Revenue Service](#), [Social Security Administration](#) and [DHS](#) have provided information on how to hire and pay workers waiting for their SSN.

Form I-9 Information for Special Immigrant LPRs and Special Immigrant CPRs

- When filling out the Form I-9, Special Immigrant LPRs and Special Immigrant CPRs should select “Lawful Permanent Resident” in Section 1.
- USCIS’s [I-9 Central](#) website and [Handbook for Employers](#) have examples of acceptable documents that most lawful permanent residents, like Special Immigrant LPRs and Special Immigrant CPRs, are eligible for, including: a State ID/driver’s license with an unrestricted Social Security card; a foreign passport with an I-551 stamp or [Machine Readable Immigrant Visa](#) (MRIV); an I-94 with a photo and I-551 stamp; or a Permanent Resident Card.
- After an employer completes the Form I-9, it cannot ask a Special Immigrant LPR or Special Immigrant CPR to show documentation proving the worker’s permission to work again unless the worker’s documentation (a) requires reverification, such as a foreign passport containing either an I-551 stamp or an MRIV; or (b) is a receipt, such as an I-94 containing both a photo and an I-551 stamp. During reverification, workers can [show their choice of acceptable documentation](#) and do not have to show the same type of document they showed when they were hired.
- Employers are [not allowed to reverify Permanent Resident Cards](#).

Form I-9 Information for Parolees with Permission to Work

- When filling out the Form I-9, parolees with permission to work from DHS should select “Alien Authorized to Work” in Section 1.
- Parolees can use a Form I-766 EAD to prove their identity and permission to work for the Form I-9, or can present any other acceptable documentation.
- An I-94 with the notation “Special Immigrant Status (SQ/SI) Parole” is issued to certain parolees and can be used for some benefits but is not valid for the Form I-9.
- Workers who decide to show an EAD for the Form I-9 have to present valid documentation showing their continued permission to work when their EAD expires. In this situation, [workers can show their choice of acceptable documentation](#) and do not have to show the same type of document they showed when they were hired.

IER Employer Hotline 1-800-255-8155

IER Worker Hotline 1-800-255-7688

Mon-Fri 9am-5pm ET

Calls can be anonymous and language services are available.

www.justice.gov/ier | www.justice.gov/crt-espanol/ier

TTY 1-800-237-2515