



Office of Special Counsel for Immigration-Related Unfair Employment Practices

U.S. Department of Justice 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 at the bottom of page 2.**

1. What kinds of jobs can I be hired for?

You can work in almost any job you are qualified for. Your status as a refugee or asylee usually should not 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. For information about discrimination, see question 3 below or call the **Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC)**.

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

You can expect:

- Payroll and tax forms:

Your employer will need to 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, your employer should still allow you to work. If your employer submits a W-2 before you get your SSN, your employer should 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. For more information, visit SSA's website.

- Form I-9:

All workers must provide their employers with documentation to prove their identity and their right to work in the U.S. Employers fill out the Form I-9 with workers during this process. Refugees and asylees should choose the "alien authorized to work" box on the Form I-9. You will then decide which documentation to present from lists that are on the Form I-9 (the Lists of Acceptable Documents).

Asylees and refugees may have several of the documents on these lists. Call **OSC** if you have questions about the documents you can present or if your employer will not let you use your valid document.

Employers should call OSC if they are unfamiliar with valid documents, such as an I-94 with a refugee or asylum stamp, or a Department of State Transportation Boarding Letter.

- The SSN field on the Form I-9 is optional, unless an employer uses E-Verify (see below).

- Your employer must check your identity and right to work, but it may be illegal for a company to require you to have an SSN to get a job. Contact the **Equal Employment Opportunity Commission (EEOC)** for more information.

- 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 will need your SSN to create the E-Verify case. If you do not have your SSN yet, your employer should wait and create an E-Verify case after you receive your SSN. 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 if you have questions.

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

- Under federal law, employers cannot treat you differently (i.e., discriminate) because of your citizenship, immigration status, national origin, race, religion, sex, color, age, disability, or genetic information. There may be additional protections under state or local law. Although there are some exceptions, these protections cover you when you apply for jobs, when you are hired, and when you are fired.
 - For questions about citizenship, immigration status, or national origin discrimination, call **OSC**.
 - For questions about discrimination based on national origin, race, religion, sex, color, age, disability, or genetic information, call the **EEOC**.
- Sometimes employers discriminate during the Form I-9 process discussed above. For example, some employers may not let you show a government ID and unrestricted Social Security card for the Form I-9. It may be illegal for an employer to reject your documents or ask you for specific documents, such as an Employment Authorization Document. If you call **OSC** for help, OSC may call your employer and explain how to correctly handle the situation.

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

- You have the right to be paid for all work you do. Some workers are also able to get overtime pay (time and one half) after 40 hours of work in a workweek. Some state and local laws require overtime payment in other situations as well. **Contact the 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. Contact the **Occupational Safety and Health Administration** to learn more or to ask for an inspection.
- With few exceptions, you have the right to join together 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**.

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Contact Information and Online Guidance from Relevant Federal Agencies (all help is free)

1. Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC):

Anonymous hotline: **800-255-7688**, available Monday-Friday, 9am-5pm Eastern Time (for hearing impaired: 800-237-2515). Website: www.justice.gov/crt/about/osc. **In certain situations, OSC may contact your employer to help resolve problems.**

- Link to information about your rights. This flyer is available in other languages on the OSC website.
https://www.justice.gov/sites/default/files/crt/legacy/2014/01/07/RA_worker.pdf

2. Social Security Administration: Hotline: **800-772-1213**, available Monday-Friday, 7am-7pm Eastern Time (for hearing impaired: 800-325-0778). Website: <https://www.ssa.gov/>.

- Link regarding employer responsibilities when hiring workers without an SSN:
<https://www.socialsecurity.gov/employer/hiring.htm>

3. E-Verify: Hotline: **888-897-7781**, available Monday-Friday, 8am-5pm local time, except on federal holidays (for hearing impaired: 877-875-6028). Website: <https://www.uscis.gov/e-verify>.

- Information explaining what E-Verify employers should do if a worker does not have an SSN:
<http://www.uscis.gov/e-verify/questions-and-answers/my-employee-applied-social-security-number-ssn-has-not-yet-received-it-what-should-i-do>

4. Equal Employment Opportunity Commission: Hotline: **800-669-4000** (for hearing impaired: 800-669-6820). Website: <https://www.eeoc.gov/>.

5. Department of Labor:

- **Wage and Hour Division:** Hotline: **866-487-9243**, available Monday-Friday, 8am-8pm Eastern Time (for hearing impaired: 877-889-5627). Website: <https://www.dol.gov/whd/>.
- **Occupational Safety and Health Administration:** Hotline: **800-321-6742**. Website: <https://www.osha.gov/>.

6. National Labor Relations Board: Hotline: **866-667-6572** (for hearing impaired: 1-866-315-6572). Website: <https://www.nlrb.gov/>.