USCIS Temporary Protected Status (TPS) Guidance for Work Authorization

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USCIS periodically posts guidance indicating that individuals from certain countries who are present in the United States under Temporary Protected Status (TPS) continue to retain TPS protections, including work authorization, pending a future USCIS announcement. Worksystems subrecipients must follow the steps below when documenting continued work authorization for currently enrolled participants who previously presented a TPS-related Form I-766 Employment Authorization Document (EAD), whose EAD has expired, and for whom updated work authorization documentation is not available. This process is intended solely to document continued participation for currently enrolled participants and may not be used to establish work authorization for the enrollment of a new participant.

1. **Review the participant's Form I-766 Employment Authorization Document (EAD).** Confirm the category listed on the EAD is A12 or C19. USCIS TPS guidance applies to TPS-related EAD categories A12 and C19. Verify that the EAD has expired and that updated work authorization documentation is not available.

2. **Review the current USCIS TPS webpage** to determine whether USCIS continues to indicate that individuals from the TPS-designated country retain TPS protections, including work authorization. Use the following link and review the information applicable to the participant's country: Temporary Protected Status | USCIS

3. **Document the review in an I-Trac case note.** Suggested language:

   Participant presented Form I-766 Employment Authorization Document, category XXX, with a printed expiration date of XXX. Current USCIS TPS guidance for country name was reviewed on XXX. The USCIS TPS webpage states that individuals from country name currently present in the United States under TPS retain protection, including work authorization, pending a further announcement by USCIS. Based on the current USCIS guidance, the participant's work authorization documentation may continue to be valid. A follow-up review has been scheduled.

4. **Enter a new Work Authorization Review Date** in the I-Trac *Other Documentation Tab* using a *Temporary Work Authorization Status*. Schedule a follow-up review within 90 days to verify that the applicable USCIS TPS guidance remains unchanged. Continue to enter a new *Work Authorization Review Date* every 90 days, as needed, while the participant remains enrolled and the USCIS guidance remains applicable.

5. **Retain a screenshot of the USCIS webpage in the provider's participant file** (not I-Trac) showing the guidance relied upon and the date on which the guidance was reviewed.

If the participant's TPS status, country designation, EAD category, or applicability of the USCIS guidance is unclear, contact Worksystems before determining that the participant remains work authorized under this process.

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