

PUBLICATION

USCIS Rule Expands Work Card Authorization All Employers Must Accept

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November 29, 2016

In finalizing a regulation focused on eligibility of workers being sponsored by employers for various temporary and permanent visas, USCIS has established some rules that affect all employers, even those not sponsoring workers.

In particular, USCIS automatically extends the temporary employment authorization (and document) for up to 180 days for a worker who timely files Form I-766 to renew an employment authorization document, which could be based on circumstances not involving employer sponsorship. Apparently on the rule's effective date, USCIS will start issuing receipt notices for the filing of Form I-765 (the form to renew work cards) reflecting that the I-766 work card is automatically extended for 180 days (apparently from the date of USCIS receipt of the renewal application, not from date of expiration of the card). Employers **MUST** accept such receipt notices as evidence of work authorization under the I-9 "receipt rule," and many state Departments of Motor Vehicles should be willing to accept them for driver license renewal.

For a full discussion of the regulation, see our separate [immigration alert](#). The rule is scheduled to take effect on January 17, 2017.

For more information on this or other matters, please contact Robert C. Divine, or any member of the Firm's Labor & Employment Group.