

TPS for El Salvador

Know Your Rights - TPS Validity and Work Authorization

WHAT TO KNOW NOW:

On August 13, 2026, USCIS announced that all Salvadoran TPS holders are authorized to work through September 9, 2026.

Temporary Protected Status (TPS) for El Salvador remains in effect through September 9, 2026.

The legal challenge to USCIS policy that early-terminated work authorization for Salvadoran, Ukrainian, and Sudanese TPS holders continues at the First Circuit appeals court. As USCIS' announcement does not apply to Ukrainian and Sudanese TPS holders, continue to look for developments in the Massachusetts lawsuit, which is called VAM v. USCIS.

The administration has not yet announced its plans to terminate or extend Salvadoran TPS.

This fact sheet explains your rights and what to do if your employer has questions.

What is the status of TPS for El Salvador?

TPS holders from El Salvador, who re-registered for TPS during the 60-day registration period, from January 17, 2025 through March 18, 2025, have TPS through September 9, 2026.

Am I eligible to continue working?

Yes. All Salvadoran TPS holders – those 1) with an Employment Authorization Document (“EAD”) with a “Card Expires” date of September 9, 2026 AND 2) those whose applications for work authorization are still pending – are authorized to work through September 9, 2026.

On August 13, 2026, USCIS announced that it will extend the work authorization of all Salvadoran TPS holders with pending work permit applications to the current end-date of El Salvador's TPS designation of September 9, 2026. This means that Salvadorans who were previously relying on the automatic extension should not lose work authorization now.

Some TPS holders may also have permission to remain in the U.S. and related work authorization through applications for other immigration relief, such as asylum.

How does the negative U.S. Supreme Court decision on TPS affect TPS holders from El Salvador?

The Supreme Court's decision was about TPS for Haiti and Syria, not El Salvador. The decision does not impact the current rules that apply to El Salvador. However, the decision may make it more difficult to challenge future TPS terminations in court because the Supreme Court ruled that courts generally cannot review the Trump administration's decisions to end a country's TPS designation.

What if my employer asks me to prove my work authorization?

If your employer asks:

- **You can show them your work permit expiring on September 9, 2026; or**
- **If you have an expired work permit and you re-registered for TPS**, you can show your employer: (1) your current work permit; and (2) the new USCIS notice USCIS indicated it would make available to you electronically (through myUSCIS accounts, if you registered online) or by mail, if not.
- **If you have work authorization pursuant to another form of immigration relief**, such as a pending asylum claim, you can show them your work permit pursuant to other immigration relief.

If you are a TPS holder from El Salvador and member of SEIU Healthcare 1199NW, and your employer insists your work authorization ended, contact your delegate, organizer, member of the union Executive Board, or the union directly at 800-422-8934 so we can support you and provide guidance.

We are notifying employers of USCIS's announcement extending work authorization for all Salvadoran TPS holders until September 9, 2026, and demanding that no adverse employment action be taken against members.