

Which Immigrants Qualify for Unemployment Insurance?

An immigrant need to be in one of the four Federal categories to qualify for [unemployment Insurance](#).

According to federal law, immigrant workers must further qualify by belonging to one of the immigration categories to be approved for unemployment insurance. The first category consists of legal resident non-citizens. The second includes non-residents who have special work permission. This category also includes non-immigrant with work authorization, such as H2 and H1B visa holders who provide seasonal labor in the tourism industry and highly skilled labor for tech industries. A third category consist of immigrants whose status is known as “permanently residing under color of law,” or [PRUCOL](#): this group includes refugee and immigrants who have been officially granted political asylum as well as Cuban and Haitians – who have special asylum status -who have recently arrived and whose cases have not yet been approved, among other groups. An additional category that qualifies under the personal Responsibility Act of 1996 includes battered spouses of U.S. a citizens or legal permanent residents.

Extended unemployment benefits

Other unemployment compensation paid by the federal government, such as extended benefits for workers who have been unemployed for more than 26 weeks, are only available for immigrants who only qualify for welfare benefits. The number of immigrants who qualify for these benefits (welfare) is lower, excluding, for example, nonresident commuters and guest workers with H2 and H1B visas.

Funding of Immigrants Benefits

Concerns that immigrants are a burden on society has been a long-standing issue in the United States. However, the above restrictions are designed to prevent abuse of the system. Furthermore, because [unemployment insurance](#) is funded through worker taxes, immigrant unemployment compensation is, in a sense self-financing.

(Source: **Maryanne Schiffman**: September 2017)