



FACT SHEET ON UNEMPLOYMENT BENEFITS

Am I Eligible for Unemployment?

Some non-citizens are eligible to apply for unemployment benefits from the Colorado Department of Labor and Employment. Essentially, if you have **work authorization or a form of lawful presence**, you can apply for unemployment. The Colorado Employment Security Act¹ includes the following categories of eligible people:

- Lawful Permanent Residents (known as LPRs or green card holders)
- People with work authorization
- DACA recipients and others who have been granted deferred action
- Refugees,² conditional entrant refugees,³ refugee-parolees,⁴ and people granted asylum⁵
- VAWA recipients⁶
- Agricultural workers⁷

You can apply for unemployment benefits at CDLE's [website](#).⁸

Does Receiving Unemployment Benefits Make Me a Public Charge?

No. According to the U.S. Citizenship and Immigration Services policy manual,⁹ USCIS does not consider unemployment benefits “in the public charge inadmissibility determination as they are considered earned benefits.” The Meyer Law Office has more detailed materials about public charge, which generally applies to people applying for Lawful Permanent Resident status.

¹ C.R.S. § 8-73-107(7)(a)

² INA § 207, 8 U.S.C. § 1157

³ INA § 203(a)(7), 8 U.S.C. § 1153 (a)(7)

⁴ INA § 212(d)(5)(B), 8 U.S.C. § 1182(d)(5)(B)

⁵ INA § 208, 8 U.S.C. § 1158

⁶ See INA § 245(a), 8 U.S.C. § 1225(a)

⁷ See INA § 210, 8 U.S.C. § 1260

⁸ <https://www.colorado.gov/pacific/cdle/unemployment>

⁹ <https://www.uscis.gov/policy-manual/volume-8-part-g-chapter-10>