



Immigration Officials Terminate Parole Program for Cuba, Haiti, Nicaragua, and Venezuela: 5 Essential Steps for Employers

Insights

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The Trump administration recently announced it would terminate the humanitarian parole program affecting approximately 532,000 nationals from Cuba, Haiti, Nicaragua, and Venezuela who currently hold work authorization in the U.S. – and employers must act soon before the April 24 deadline. Here’s what your business needs to know – and do – to ensure legal compliance and business continuity. **[Editor’s Note: A federal court judge indicated at an April 10 hearing that she will temporarily block the administration from ending this program while litigation plays out. See below for more.]**

Quick Background

- The humanitarian parole program, sometimes referred to as the CHNV Parole Program, was established under the Biden administration. It provided temporary legal status and work authorization to eligible nationals from Cuba, Haiti, Nicaragua, and Venezuela.
- The original intent of the program was to address humanitarian needs and manage migration flows by providing safe and legal pathways to the U.S.
- On March 25, the Department of Homeland Security (DHS) formally terminated this program, setting April 24 as the date paroles and employment authorizations will end.
- **[Editor’s Note: On April 10, U.S. District Court Judge Indira Talwani said she would “stay” the parole revocation – temporarily blocking the administration’s order from taking effect – while a lawsuit over the legality of the program’s termination worked its way through the courts.]**

Immediate Impacts for Employers

1. **Loss of Workforce:** Immediate loss of authorization could impact your business operations.
2. **Compliance Risks:** Employing individuals beyond their lawful status could lead to penalties.
3. **Workforce Uncertainty:** Employees and employers face significant uncertainty.

5 Practical Steps Employers Should Take

As a result of this latest shift in the country's immigration policy, employers should consider taking the following five steps.

Step 1: Identify Impacted Employees

First, you should work with your immigration counsel to conduct an internal audit to identify employees under the terminated parole programs who presented Employment Authorization cards in the C(11) category as List A documents during the Form I-9 process. To the extent you identify any workers falling under the CHNV program, make sure to document their parole expiration and work authorization end dates. It's also critical that you not include all workers you employ who happen to be from Cuba, Haiti, Nicaragua, and Venezuela, but just those who are part of this parole program.

[Editor's Note: While the temporary stay is in place, employers should refrain from terminating affected CHNV parolees on April 24 unless and until further developments occur.]

Step 2: Evaluate Alternative Immigration Pathways

Next, consult your Fisher Phillips immigration counsel to explore visas, Temporary Protected Status, adjustment of status, or other lawful immigration options that would allow affected employees to remain eligible to work. They could also be eligible for alternative legal protections (TPS, asylum, family/employment-based visas).

Step 3: Strategic Communication with Employees

If you need to communicate with your affected workers about this situation, communicate clearly and compassionately about changes, potential outcomes, and resources available. You should also provide guidance on voluntary departure and compliance responsibilities.

Step 4: Compliance and Documentation Updates

This is a good time to ensure you have updated the relevant I-9 documentation in a prompt fashion. It also seems worthwhile to maintain detailed records of your relevant communications and any actions you take in response to this policy change.

Step 5: Workforce Contingency Planning

Finally, consider the steps you should take to manage your necessary work in the wake of this disruptive situation. You might consider cross-training existing employees to fill potential staffing gaps. Another option: Initiating recruitment or temporary staffing solutions to minimize operational disruption.

Potential Legal Developments and Litigation

Immediately after DHS announced this change, worker advocate groups filed several lawsuits challenging the termination. There is a good chance that a court will put a temporary stop to the April 24 deadline, as we have seen with many other executive actions taken by the administration in the last few months. However, you cannot count on such an action taking place – and there is also a good chance an appeals court could quickly overturn any temporary block from a lower court. You should stay updated through regular contact with your FP immigration counsel and be prepared to adjust your internal plans and strategies based on evolving legal decisions.

[Editor’s Note: As noted above, a court did put a temporary stop to the program revocation and the April 24 deadline.]

Conclusion

If you have any questions about these developments or how they may affect your business, please contact your Fisher Phillips attorney, the author of this Insight, or any member of our [Immigration Practice Group](#). Our [Employers’ Rapid Response Team](#) (877-483-7781 or DHSRaid@fisherphillips.com) is on call to provide immediate legal counsel when a raid occurs, assist with documentation and compliance review, and provide post-raid support and strategy assistance.

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