



Residence permit for the purpose of taking up employment in the context of professional recognition

Information on requirements, entitlements and the application process

With the German Skilled Immigration Act (adopted in March 2020) skilled workers from non-EU countries whose foreign qualification is only partially recognised by the German recognition authorities still have opportunities. They are able to take part in additional qualification measures in Germany – with the aim of receiving full recognition of their foreign qualification.

Skilled workers who want to take up employment in a **non-regulated occupation** in Germany that requires vocational training are allowed to take part in an “**adaptation measure**”. One specific form of adaptation measure is “employment in the occupation to be recognised”.

In case the skilled worker’s notification of recognition states a lack of predominantly practical skills, he or she is allowed to gain “**recognition through employment**”.

Requirements

If you are a skilled worker from a non-EU country whose foreign qualification is only partially recognised by the German recognition authorities and who now wants to take part in an adaptation measure in form of employment in a company in Germany, the following requirements apply in order to receive a visa:

- **vocational training certificate** or **university degree**
- **notification of recognition** from a German recognition authority that states the partial equivalence of your foreign qualification as well as the fact that you lack predominantly practical skills
- **work contract** or **job offer** for the profession for which you seek the recognition of your qualification; your future employer has to commit to addressing any shortfall in practical skills within two years and has to provide a qualification plan
- evidence of sufficient **German language skills** (at least language level A2)
- **approval of the German Federal Employment Agency** regarding the working conditions and the suitability of your qualification

Good to know: If your notification of recognition states the partial equivalence of your foreign qualification without mentioning the fact that you lack predominantly practical skills, you do not have the possibility to gain “recognition through employment”. However, you can still complete another form of “adaptation measure”, e.g. an advanced training course.

>> for this case see handout 4a

Entitlements

If you meet the above-mentioned requirements, you are entitled to:

- obtain a **residence permit** for the purpose of taking up employment in the context of professional recognition for up to two years
- request a **residence permit** for the immigration of your **spouse and children** (under the age of 18) if you fulfil the following criteria:
 - adequate residential space
 - sufficient financial means to cover living expenses for you and your family
 - proof of basic German language skills of your spouse
- **change the residence permit** for another residence purpose after you gained the full recognition of your qualification (e.g. residence permit for the purpose of taking up qualified employment, seeking employment, vocational training or studies)

Application process in four steps



1. Recognition of qualification

As a skilled worker from a non-EU country who wants to immigrate to Germany for the purpose of “recognition through employment”, you need to prove that your foreign qualification is **partially equivalent** to the German reference occupation.

To do so, you have to go through the **recognition procedure** and receive a **notification of recognition** that certifies to what extent your foreign qualification is equivalent to the reference occupation in Germany. In order to obtain this notification, please contact the “Service Center for Professional Recognition” (ZSBA), via the hotline “Working and Living in Germany”. The ZSBA advisors support foreign skilled workers in identifying the appropriate reference occupation in Germany, compiling the application documents and identifying the responsible recognition authority. The recognition procedure costs between 100 € and 600 € and can take up to four months. Only if the notification of recognition states that your qualification is partially recognised and that you lack knowledge and practical skills, you may apply for the residence permit for the purpose of taking up employment in the context of professional recognition.

Website “Recognition in Germany”

www.anerkennung-in-deutschland.de/html/en/index.php

Hotline “Working and Living in Germany”

+49 30 1815 1111

2. German language skills

Proof of German language skills is a mandatory requirement for skilled workers from non-EU countries who want to come to Germany for the purpose of recognition of professional qualifications. German language skills are not only very important to support the successful completion of your qualification measure, but also for your overall successful integration in Germany. In many countries, various language schools offer – mostly fee-based – **courses of German as a foreign language**. In order to prove your German language skills, you need a **language certificate** from a certified exam provider. In many countries, the Goethe-Institute offers language courses and conducts certified exams. There

are a number of other certificates that are also often accepted (see selection below). It is best to check with the German embassy or consulate in your country which certificates will be accepted by them.

Goethe-Institute

www.goethe.de/en/

Austrian German Language Diploma (ÖSD)

www.osd.at/en/

The European Language Certificate (TELC)

www.telc.net/en

Test German as Foreign Language (TestDAF) >> website in German language only

www.testdaf.de

German Language University Entrance (DSH)

<https://en.dsh-germany.com>

German Language Diploma (DSD) >> website in German language only

<https://www.kmk.org/themen/deutsches-sprachdiplom-dsd/>

3. Work contract / job offer

There are numerous online resources available for those looking for a job in Germany. Germany's largest online **job exchange** is the job portal of the German Federal Employment Agency. If you want to apply for a job, you usually have to submit the following documents to the employer:

- a covering letter, explaining your motivation for the job
- a curriculum vitae, ideally using the Europass format
- certificates of your qualifications from the educational institution(s) that you attended
- if available: reference letters from previous employers

Once you have found a job, your future employer should fill in the **Declaration of Employment**, which contains information on the functions and responsibilities of the employee, the working time and the salary as well as some other details. This declaration is needed as the German Federal Employment Agency will examine the working conditions and the suitability of your qualification for the job.

Job portal of the German Employment Agency >> website in German language only

www.jobboerse.arbeitsagentur.de

Job portal "Make it in Germany"

www.make-it-in-germany.com/en/jobs/job-listings

Form "Declaration of Employment" >> website in German language only

www.arbeitsagentur.de/weiterleitung/1478916163404

4. Visa application

Before taking up employment in Germany, you need a **visa**. On the website of the German Foreign Office, a "visa navigator" helps potential applicants to check which visa they need. First of all, you have to make an appointment at the **German Mission Abroad** (embassy or consulate). You have to bring to the appointment translated and certified copies of the required documents for the residence permit for the purpose of recognition of foreign qualifications (see listed requirements above) and the following documents:

- completed and signed application form
- biometric passport photos
- valid passport

- approval of travel health insurance
- visa fee

The German Mission Abroad will then examine your application and request an approval from the German Federal Employment Agency – if necessary. The waiting time for a confirmation or rejection of a visa application differs from place to place.

“Visa navigator” of the German Foreign Office

<https://visa.diplo.de/en/#/vib>

Visa regulations of the German Foreign Office

www.auswaertiges-amt.de/en/einreiseundaufenthalt/-/215870

Please note: Once you have a concrete job offer, you may authorise your future German employer to apply for the **fast-track procedure**. This newly introduced process helps to speed up the administrative procedures for obtaining your visa. The fee for this procedure is 411 € and is paid by the employer.

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