

99011010000000, 99011010000000

# EU work permit (for nationals of the new EU member states)

Heruntergeladen am 24.05.2025

<https://fimportal.de/xzufi-services/10005095/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99011010000000, 99011010000000
Leistungsbezeichnung I	EU work permit (for nationals of the new EU member states)
Leistungsbezeichnung II	
Typisierung	6 - Allgemeine Hinweise, nicht spezifische für eine Leistung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt
Leistungsgruppierung	Ausländerangelegenheiten (011)
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/aufenthg_2004/_39.html">https://www.gesetze-im-internet.de/aufenthg_2004/_39.html</a> <a href="https://www.gesetze-im-internet.de/sgb_3/_284.html">https://www.gesetze-im-internet.de/sgb_3/_284.html</a> <a href="https://www.gesetze-im-internet.de/aufenthg_2004/_39.html">https://www.gesetze-im-internet.de/aufenthg_2004/_39.html</a> <a href="https://www.gesetze-im-internet.de/sgb_3/_284.html">https://www.gesetze-im-internet.de/sgb_3/_284.html</a>
Teaser	
Volltext	<p>EU citizens enjoy freedom of movement. They do not require a visa or residence permit to enter and stay in Germany. This also applies to citizens from countries that joined the EU on 01.05.2004 or 01.01.2007, even if the purpose of their entry is to take up gainful employment. In principle, EU citizens are not subject to any restrictions on access to the German labor market.</p> <p>However, exceptions apply if citizens of the new EU member states Bulgaria and Romania wish to work in Germany. They require an EU work permit to access the labor market (during a transitional period after accession). They may not take up gainful employment before this permit has been issued.</p> <p><b>**Note:**</b> Citizens from Estonia, Latvia, Lithuania, Poland, Slovakia, Slovenia, the Czech Republic, Hungary, Malta and Cyprus already have full freedom of movement for workers.</p> <p>The EU work permit can be obtained after entering the country. There is freedom of movement for entry as such, even if entry is for the purpose of taking up gainful employment.</p> <p><b>**Please note**</b> : As a citizen of Bulgaria or Romania, you may only take up employment once the EU work permit has been issued. If you have already been</p>

**Modul**
**Sachverhalt**

working legally in Germany for at least 12 months and are legally resident here, you are entitled to an EU work permit and thus free access to the labor market in Germany.

**Erforderliche Unterlagen**

- Proof of the relevant nationality (e.g. passport)
- Job offer
- Confirmation of employment, if applicable

Graduates of universities and technical colleges submit the application for an EU work permit and the employment contract for examination of the working conditions. A job offer is not required. This group of people may also only work with an EU work permit.

**Voraussetzungen**

As a general rule, an EU work permit is only issued if a job is to be performed as a skilled worker for which at least 3 years of vocational training is required under German law, and if there are no domestic employees available for the desired job and the collectively agreed working conditions are complied with.

In addition, the following special provisions apply:

- In principle, the recruitment ban continues to apply to unskilled workers, i.e.,
  - no EU work permit can be issued for a new entry for employment that does not correspond to the employment of a skilled worker,
  - Nationals from the new EU countries who have been living in Germany for at least 3 months (registration) are not to be regarded as new arrivals, but as nationals. For nationals, only the labor market and working conditions are checked, as is the case for newly arriving skilled workers.
  - The following applies to seasonal employment in agriculture and forestry, in the hotel and catering industry, in fruit and vegetable processing and in sawmills:
    - The foreign employee was placed on the basis of an agreement with the employment services of the country of origin.
    - The employment lasts at least 30 hours per week

## Modul

## Sachverhalt

with an average of at least 6 hours of work per day.

- Maximum duration of employment: 6 months per calendar year.
- The following applies to employment in the fairground industry:
  - The foreign employee was placed on the basis of an agreement with the labor administration of the country of origin.
  - Maximum duration of employment: 9 months per calendar year.
  - The following applies to domestic helpers in households with persons in need of care:
    - The foreign employee was placed on the basis of an agreement with the employment services of the country of origin.
    - Full-time employment
    - Maximum duration of employment: 3 years.
    - After one year, however, the EU work permit is issued, so that the 3-year time limit is no longer relevant.

Since 01.01.2009, all graduates of German universities and technical colleges are no longer required to check whether preferential domestic workers are available, but it is still checked whether the minimum working conditions (e.g. wages, working hours) are not undercut.

## Kosten

## Verfahrensablauf

In principle, the above-mentioned recruitment ban applies to the employment of foreign workers. However, foreign skilled workers or domestic workers or auxiliary workers placed by the Federal Employment Agency can obtain an EU work permit if no domestic workers are available.

Employers should first submit a job offer to their local employment agency. If the employer already knows the foreign applicant for the above-mentioned auxiliary staff, he or she should also submit the hiring confirmation for the specific person to the employment agency.

## Modul

## Sachverhalt

The employment agency checks whether domestic employees are available and whether the working conditions that would apply to comparable German employees are complied with. If no domestic employees are available, the foreign applicant will receive an EU work permit. The above-mentioned auxiliary workers will receive an EU work permit if they have received a confirmation of employment via the International Placement Services and submit it to the Employment Agency together with their application for an EU work permit after entering Germany.

Employment may only begin once permission to take up employment has been granted. The EU work permit is issued to the employee and can also be sent to the employer in writing for delivery.

## Bearbeitungsdauer

### Frist

Employers should submit the documents together with a job offer approximately 2 - 4 weeks before the start of work. In the case of seasonal workers, showmen's assistants and domestic help (see above), a job offer and the so-called "confirmation of employment/employment contract" should be submitted approximately 10 weeks before the start of work. As there is no visa requirement, the EU work permit can be applied for at the employment agency after entering the country but before starting work. The EU work permit for citizens from the new EU member states is generally issued for one year. For seasonal workers in agriculture, viticulture and the hotel and catering industry, the EU work permit is issued for the duration of the employment - for a maximum of 6 months. The EU work permit expires upon termination of the employment relationship for which it was issued.

## weiterführende Informationen

## Hinweise

## Rechtsbehelf

## Kurztext

Modul	Sachverhalt
Ansprechpunkt	contact your local employment agency (Arbeitsagentur) <a href="https://www.arbeitsagentur.de/ueber-uns/ansprechpartner">https://www.arbeitsagentur.de/ueber-uns/ansprechpartner</a> <a href="https://www.arbeitsagentur.de/ueber-uns/ansprechpartner">https://www.arbeitsagentur.de/ueber-uns/ansprechpartner</a>
Zuständige Stelle	
Formulare	
Ursprungsportal	EU work permit (for nationals of the new EU member states), Arbeitserlaubnis-EU (für Angehörige der neuen EU-Mitgliedstaaten)