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Applying for a work permit for persons with a residence permit

Heruntergeladen am 24.05.2025

<https://fimportal.de/xzufi-services/381864610/L100001>

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| Leistungsschlüssel | 99010012001001, 99010012001001 |
| Leistungsbezeichnung I | Applying for a work permit for persons with a residence permit |
| Leistungsbezeichnung II | Applying for a work permit for persons with a residence permit |
| Typisierung | 3 - Bundesaufsichtsverwaltung: Regelung |
| Quellredaktion | Hessen |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | fachlich freigegeben (silber) |
| Begriffe im Kontext | |
| Leistungstyp | Leistungsobjekt mit Verrichtung |
| Leistungsgruppierung | Aufenthaltstitel (010) |
| Verrichtungskennung | Erteilung (001) |
| SDG-Informationsbereich | Aufnahme einer Beschäftigung in einem anderen Mitgliedstaat |
| Lagen Portalverbund | Einwanderung (1080100), Berufszulassungen und |

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| | Berechtigungen (1040500), Asyl (1080200) |
| Einheitlicher Ansprechpartner | Nein |
| Fachlich freigegeben am | 03.01.2023 |
| Fachlich freigegeben durch | Hessian Ministry of the Interior and Sport |
| Handlungsgrundlage | https://www.gesetze-im-internet.de/asylvfg_1992/_61.html https://www.gesetze-im-internet.de/beschv_2013/_32.html https://www.gesetze-im-internet.de/asylvfg_1992/_61.html https://www.gesetze-im-internet.de/beschv_2013/_32.html |
| Teaser | If you want to work in an ongoing asylum procedure and have already found an employer who wants to hire you, you can apply for a work permit. |
| Volltext | <p>If you are in an ongoing asylum procedure, employment is only permitted if this is expressly stated in your residence permit. If you want to work, you must therefore apply for a work permit at the Foreigners' Registration Office. This also applies to the exercise of in-company vocational training or an internship.</p> <p>If you have been allowed to stay in Germany as an asylum seeker for three months, are not (no longer) obliged to live in an initial reception centre for asylum seekers and have already found an employer who would like to hire you, you may be allowed to work. To process your application, the Foreigners' Registration Office usually involves the Federal Employment Agency, which checks the working conditions. After more than four years of uninterrupted residence in Germany, the involvement of the Federal Employment Agency is no longer required and employment is permitted.</p> <p>If you would like to complete in-company vocational training (dual training), the employment permit for the specific training place must be applied for individually. School-based vocational training does not require</p> |

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approval.

The employment permit is issued for a limited period for the duration of the approval of the Federal Employment Agency, at the latest until the expiry of the residence permit.

The following limitations apply:

- In principle, you are prohibited from gainful employment as long as you are obliged to live in an initial reception centre. Only if your asylum procedure has not been completed within nine months can you be allowed to take up employment.
 - If you are an asylum seeker from a so-called "safe country of origin", i.e. from a Member State of the European Union, Albania, Bosnia and Herzegovina, Ghana, Kosovo, Montenegro, North Macedonia, Senegal or Serbia, and submitted your asylum application after 31 August 2015, you cannot obtain a work permit during the asylum procedure.

Erforderliche Unterlagen

- Valid residence permit
 - Identity document (e.g. passport or passport substitute), if available
 - Form "Declaration of employment" (to be completed in full by the employer)
 - In individual cases, the Foreigners' Registration Office may require less or further proof.

Voraussetzungen

- You are in possession of a valid residence permit.
 - You are not obliged to live in a reception centre and have been permitted to stay in Germany for three months, or
 - You are obliged to live in a reception centre, but your asylum procedure has not been completed incontestably within nine months and you do not come from a safe country of origin or
 - Although you come from a safe country of origin, you applied for asylum before 31 August 2015.
 - An employer has offered you a specific job and completed the "Employment Declaration" form.
 - The conditions under which you will work in the future are comparable to those of German employees.
 - Their wages correspond to the wages of German

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| | employees. |
| Kosten | The granting of the work permit is free of charge. |
| Verfahrensablauf | <ul style="list-style-type: none"> • Find out whether your immigration authority allows you to submit your application online or has a special application form. <ul style="list-style-type: none"> • If the application is only possible in person, please submit the form "Declaration on the employment relationship", which has been completed in full by your employer, to the Foreigners' Registration Office in advance and make an appointment at the Foreigners' Registration Office. In the case of an online application, the Foreigners' Registration Office will contact you upon receipt of your application to make an appointment. <ul style="list-style-type: none"> • During the appointment, your identity and documents will be checked (please bring your documents, preferably original, to the appointment). • As a rule, the immigration authority will ask the Federal Employment Agency for approval. • If the employment permit is issued, a corresponding entry is usually made on the residence permit (under "Ancillary provisions") or in an additional sheet. |
| Bearbeitungsdauer | At the latest 6 to 8 weeks before the start of the intended employment, the application should be received by the Foreigners' Registration Office. |
| Frist | Permission to work should be applied for before concluding an employment contract. The permit is limited for the duration of the approval of the Federal Employment Agency, at the latest until the expiry of the residence permit. |
| weiterführende Informationen | |
| Hinweise | |
| Rechtsbehelf | <ul style="list-style-type: none"> • Appeal against the decision of the Foreigners' Registration Office <ul style="list-style-type: none"> • Action before the court named in the notice of opposition if the objection is not complied with |
| Kurztext | • Employment permit Issue of residence permit |

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- Asylum seekers may be allowed to work (including in-company vocational training, internships) if they have been permitted to reside in Germany for three months, are no longer obliged to live in a reception centre and have found an employer
 - Asylum seekers who are obliged to live in a reception centre may be allowed to work if their asylum procedure has not been completed within nine months
 - Local immigration authority usually involves the Federal Employment Agency
 - Employment permit is noted on the residence permit (no separate document)
 - Employment permit is issued for the duration of the approval of the Federal Employment Agency, at the latest until the expiry of the residence permit
 - Unable to obtain a work permit:
 - Asylum seekers from safe countries of origin (Member States of the European Union, Albania, Bosnia and Herzegovina, Ghana, Kosovo, Montenegro, North Macedonia, Senegal, Serbia) who applied for asylum after 31 August 2015 during the asylum procedure
 - Asylum seekers whose asylum procedure has been rejected as manifestly unfounded or inadmissible, unless the administrative court has ordered the suspensive effect of the action
 - School-based vocational training does not require approval
 - responsible: the immigration authority responsible for the place of residence of the applicant

Ansprechpunkt

Zuständige Stelle

The immigration authority responsible for the place of residence of the applicant is responsible for processing the application.

Formulare

Forms available: Yes

Written form required: Yes

Informal application possible: No

Personal appearance required: Yes

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Ursprungsportal

Beschäftigungserlaubnis für Personen mit Aufenthaltsgestattung beantragen, Applying for a work permit for persons with a residence permit
