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Applying for a work permit for persons with temporary suspension of deportation

Heruntergeladen am 24.05.2025

<https://fimpportal.de/xzufi-services/450653698/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99010012001002, 99010012001002
Leistungsbezeichnung I	Applying for a work permit for persons with temporary suspension of deportation
Leistungsbezeichnung II	Applying for a work permit for persons with temporary suspension of deportation
Typisierung	2/3b - Bund: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)

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SDG-Informationsbereich	
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.03.2022
Fachlich freigegeben durch	Lower Saxony Ministry of the Interior and Sport
Handlungsgrundlage	http://www.gesetze-im-internet.de/aufenthg_2004/_4a.html https://www.gesetze-im-internet.de/aufenthg_2004/_60a.html http://www.gesetze-im-internet.de/aufenthg_2004/_42.html https://www.gesetze-im-internet.de/beschv_2013/_32.html https://www.gesetze-im-internet.de/asylvfg_1992/_61.html http://www.gesetze-im-internet.de/aufenthg_2004/_4a.html https://www.gesetze-im-internet.de/aufenthg_2004/_60a.html http://www.gesetze-im-internet.de/aufenthg_2004/_42.html https://www.gesetze-im-internet.de/beschv_2013/_32.html https://www.gesetze-im-internet.de/asylvfg_1992/_61.html
Teaser	If you are in possession of a temporary suspension of deportation, want to work and have already found an employer who wants to hire you, you can apply for a work permit.
Volltext	<p>If you are tolerated in Germany, you are only permitted to work if this is expressly stated in your Duldung (certificate of suspension of deportation). 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>You can be granted a work permit if you have been</p>

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allowed, tolerated or resided in Germany for three months with a residence permit and you have found an employer who would like to hire you.

Tolerated persons who are obliged to live in a reception centre only have access to the labour market after six months.

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 stay in Germany, the Federal Employment Agency no longer has to be involved.

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 approval.

The employment permit is issued for the duration of your current toleration at the latest. This can be extended accordingly if the conditions are met when the toleration is extended.

The exercise of an economic activity is generally prohibited if:

- you have travelled to Germany in order to obtain benefits under the Asylum Seekers Benefits Act,
- your termination of residence cannot be carried out for reasons for which you are responsible or you have violated your obligations to cooperate in removing the obstacle to deportation (for example, insufficient cooperation in obtaining a passport or proof of identity, deception about identity or nationality),
- the Duldung was granted with the addition "Duldung für Personen mit unklarer Identität" (toleration for persons with an unclear identity), or

you come from a so-called "safe country of origin", i.e. from a Member State of the European Union, Albania,

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Bosnia and Herzegovina, Ghana, Kosovo, the former Yugoslav Republic of Macedonia (North Macedonia), Montenegro, Senegal or Serbia and submitted an asylum application after 31 August 2015 that was rejected or withdrawn, unless the withdrawal was based on advice provided to the Federal Office for Migration and Refugees. Even without an asylum application, people from safe countries of origin cannot obtain a work permit.

Erforderliche Unterlagen

- Valid certificate of suspension of deportation (Duldung)
 - Identity document (e.g. passport or passport substitute), if available
 - 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 Duldung and have been staying in Germany for at least three months.
 - If you are obliged to live in a reception centre, you have been staying in Germany for at least six months.
 - They do not come from a safe country of origin.
 - 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 employees.

Kosten

The granting of the work permit is free of charge.

Verfahrensablauf

- Find out whether your immigration authority allows you to submit your application online or has a special application form.
 - If the application is only possible in person, submit the form "Declaration of 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

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	<p>receipt of your application to make an appointment.</p> <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 granted, a corresponding entry is usually made on the Duldung (under "Ancillary provisions") or in an additional sheet.
Bearbeitungsdauer	<p>The duration of the application processing depends on the local conditions as well as on the factual accuracy of the information in the application and the completeness of the application documents.</p>
Frist	<p>Permission to work should be applied for before concluding an employment contract. The employment permit is issued for the duration of the current toleration at the latest. This will be extended accordingly if the conditions are met when the toleration is extended.</p>
weiterführende Informationen	<p>Questions and Answers Asylum and refugee protection, access to the labour market for refugees</p> <p>[https://www.bamf.de/SiteGlobals/Forms/Suche/Expertensuche_Formular.html?cl2Categories_Bereich=asylflu echtlingsschutz&cl2Categories_Typ=faq&cl2Categories_Themen=zugangarbeitsmarkt&sortOrder=title_text_sort+asc&pageLocale=de](https://www.bamf.de/SiteGlobal s/Forms/Suche/Expertensuche_Formular.html?cl2Cate gories_Bereich=asylfluechtlingsschutz&cl2Categories_T yp=faq&cl2Categories_Themen=zugangarbeitsmarkt&s ortOrder=title_text_sort+asc&pageLocale=de)</p> <p>Information from the Federal Employment Agency on access to the labour market for people from abroad (e.g. Migration Check for Employees, Leaflet on Employment of Foreign Workers in Germany):</p> <p><https://www.arbeitsagentur.de/fuer-menschen-aus-d em-ausland></p> <p>Federal Ministry of Labour and Social Affairs:</p>

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	<p><https://www.bmas.de/DE/Arbeit/Arbeitsfoerderung/arbeitsfoerderung.html></p> <p>International Placement Service (ZAV):</p> <p><https://www.arbeitsagentur.de/vor-ort/zav/startseite></p> <p>Information portal on the recognition of foreign professional qualifications:</p> <p>www.anererkennung-in-deutschland.de</p>
Hinweise	<ul style="list-style-type: none"> • The certificate of suspension of deportation (Duldung) is not a residence permit. It is issued if a foreigner is obliged to leave the country, but his deportation is impossible for factual or legal reasons, or if urgent humanitarian or personal reasons or substantial public interests require the foreigner to continue to be temporarily present in the Federal territory. The residence of the foreigner is therefore not legal, but the enforcement of the obligation to leave the country is temporarily out of the question. <ul style="list-style-type: none"> • The employment permit may be withdrawn if the foreigner is employed under less favourable working conditions than comparable national workers.
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	<ul style="list-style-type: none"> • Employment permit Granting of temporary suspension of deportation <ul style="list-style-type: none"> • Persons with temporary suspension of deportation may be allowed to take up employment • Responsible is the local immigration authority
Ansprechpunkt	
Zuständige Stelle	
Formulare	<p>Forms available: Yes</p> <p>Written form required: Yes</p>

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	Informal application possible: No Personal appearance required: Yes
Ursprungsportal	Applying for a work permit for persons with temporary suspension of deportation, Beschäftigungserlaubnis für Personen mit Duldung beantragen