Approval of the Federal Employment Agency: What Employers Need to Know

Before you recruit a skilled worker from a third country, you usually need the approval of the Federal Employment Agency. Read more on what requirements apply.

Citizens from EU and **EEA** Member States as well as Switzerland may take up employment in Germany without restriction in accordance with the **Freedom of Movement** Act. Their status is equal to domestic employees. In most cases, access to the German labour market for international skilled workers from third countries requires the approval of the **Federal Employment Agency (BA)**.

In general, the approval is granted if the following conditions are met:

- There is a **concrete job offer**: the employment contract is usually accepted as proof.
- The **working conditions** are comparable with those of domestic employees. The assessment is carried out on the basis of the "**Declaration of Employment**" form.
- In the case of the **EU Blue Card**, the employment must be appropriate to the qualification.

As part of the **visa** procedure, the competent authorities will obtain the Federal Employment Agency's approval by themselves, if need be. The BA must report back to the authorities within two weeks after the request. Once this period has expired, the approval is automatically deemed to have been granted, if not stated otherwise. If a **fast-track procedure for skilled workers** is carried out in preparation for the visa application, the deadline is reduced to one week.

Pre-approval as an alternative to the fast-track procedure for skilled workers

If the fast-track procedure for skilled workers is not an option for you but you would still like to have the requirements for the approval of employment checked before your potential recruit submits the visa application, you can use the pre-approval procedure. To do so, please contact your employer service.

Persons who do not require the approval of the Federal Employment Agency

In certain cases, the **residence title** for the purpose of employment is also granted without the approval of the BA:

- Highly qualified specialists with an academic education who apply for a **settlement permit** (**Section 18c (3) (3) of the Residence Act [AufenthG]**)
- Applicants of an EU Blue Card, if a minimum salary of two thirds of the annual assessment ceiling is paid in the general pension insurance scheme.

Information on the web

Federal Employment Agency (BA)

Information on admission to the labour market
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