

Visa for Employees

Due to the ongoing Covid-19 pandemic Germany has temporarily introduced travel restrictions and border controls. For latest information please refer to our special website [Corona Crisis and Germany](#).

In March 2020, the new Skilled Immigration Act came into force. It further opens up the German labor market to skilled workers. The new Act stipulates the conditions under which qualified professionals from outside the EU can work in Germany. Still, non-EU-citizens, which would like to work in Germany, require a residence permit for employment.

Besides the new law, instruments such as the EU Blue Card or ICT Card pose further options for foreign employees to access the German labor market.

- ▶ [Qualified Professionals](#)
- ▶ [Official Recognition of Qualification](#)
- ▶ [Approval from the Federal Employment Agency](#)
- ▶ [Senior Executives, Managing Directors and Specialists](#)
- ▶ [The EU Blue Card](#)
- ▶ [ICT Card](#)

Qualified Professionals

It is now much easier for qualified professionals to receive a residence permit for employment in Germany - provided they meet certain requirements.

Qualified professionals include university graduates and persons who have successfully completed vocational training for at least two years.

In general, residence permits for qualified professionals are issued where the following requirements have been met:

- applicants have a qualification [officially recognized in Germany](#),
- a concrete job offer, and
- [approval](#) from the Federal Employment Agency (FEA).

In addition, a license must exist or be confirmed for professions that require a professional license, e.g. engineers and medical professions.

Qualified professionals can be granted a residence permit for up to four years. A permanent settlement permit can be granted after four years.

New: Accelerated Administrative Procedure

A new feature of the Skilled Immigration Act is the introduction of an accelerated administrative procedure for an extra fee.

In the event of a specific job offer, the German employer can initiate the procedure at the competent immigration office, provided authorization by the applicant employee has been granted. Moreover, an extensive agreement must be concluded between the employer and the competent immigration office. This option will significantly shorten the duration of the administrative procedure.

For general information on how to apply for a residence permit, please refer to section [Visa Application Process](#).

Official Recognition of Qualification

Employee qualifications (academic and vocational) not received in Germany must be checked for equivalence with German qualifications and officially recognized before coming to Germany.

An exception is made for IT specialists with an annual salary of at least EUR 51,120 (2021), having gained at least three years of relevant professional experience during the past seven years.

The Central Service Point for Recognition has a pilot function in informing about the recognition procedure and serves as a central contact to applicants during the recognition process. The recognition procedure takes place at the federal state level and the competence of an authority depends on the specific qualification.

Please see the [Recognition in Germany portal](#) [🔗](#) for further information on the recognition of foreign professional qualifications.

Approval from the Federal Employment Agency

Before a foreign employee may be hired in Germany, the Federal Employment Agency (FEA) must issue its approval.

An approval may be issued if a foreign employee is hired at the same terms and conditions of employment as comparable German employees (especially in terms of wages and working hours). Moreover, the skilled worker must be employed in a role appropriate to his/her qualifications.

The FEA also checks if a domestic employment can be demonstrated in the specific case. Please see the [FEA website](#) [🔗](#) for further information about the approval procedure.

Certain professional groups have a right to a residence permit **without** requiring the approval of the FEA. These include, among others:

- Scientific research personnel
- [EU Blue Card](#) applicants

Senior Executives, Managing Directors and Specialists

Senior executives, managing directors and company specialists may also receive a residence permit. They also must fulfill certain preconditions to receive the permit.

A residence permit may also be granted to:

- Senior executives
- Members of a body legally representing a legal entity (e.g. managing director of a GmbH)
- Persons who have specialist knowledge – with particular relevance for the company – for the carrying out of a domestic qualified employment.

An [approval](#) from the Federal Employment Agency (FEA) is also required for these group of employees.

The FEA approval may be granted if an employment status exists and if the foreign employee is hired on the same terms and conditions of employment as comparable German employees.

The FEA performs an overall assessment of the individual case. A specific professional qualification is not required.

The EU Blue Card

The EU Blue Card allows qualified professionals with a university degree to be fast-tracked into employment in Germany.

Non-EU citizens may apply for this special residence permit if they hold a **German university degree** (or a proven comparable qualification) and provide proof of a job contract with an annual gross salary of at least EUR 56,800 (2021). The employment must also be appropriate to the professional's qualifications. A FEA approval is not required.

The annual gross salary level is lower (EUR 44,304 in 2021) in professions with a particular skill shortage (e.g. medical doctors, science and engineering professionals as well as information and communications technology professionals). Here, an [approval](#) of the Federal Employment Agency is required.

Once a German EU Blue Card has been obtained, a [permanent settlement permit](#) can be granted within 33 months - or after 21 months if the foreign citizen has attained a certain German language skill level.

ICT Card

Germany has facilitated long-term intra-corporate transfers of specific staff categories by introducing the ICT Card.

The ICT Card complements other existing relaxed measures for specific groups of employees **temporarily posted** to Germany. The ICT card enables an intra-corporate transfer from a sending entity outside of the EU to a host entity in Germany. Both entities must be a part of the same company or company group.

Eligible employees are:

- non-EU managers
- specialists

who have been employed in the sending unit for at least six uninterrupted months immediately preceding the transfer.

The **duration of the transfer** must exceed 90 days and last up to a maximum of three years. Moreover, the work contract and, if necessary, the assignment letter e.g. need to state details of the transfer and proof of the employee's professional qualification.

The ICT card requires a [FEA approval](#).

The ICT card has to be applied for at the German embassy or consulate general abroad – this also applies for Australian, Canadian, Israeli, Japanese, New Zealand, South Korean, UK, and US nationals.

The short-term mobility of non-EU nationals in possession of an ICT card **issued by another EU state** has also been relaxed. Under specific conditions, this employee category may be able to work at a German company (belonging to the same company or the same group of companies) for up to 90 days within any 180-day period without a German residence permit. A notification including specific evidence to the German Federal Office for Migration and Refugees is required.

Note to readers



GTAI's Investment Guide to Germany is intended to provide general information for foreign companies wishing to expand to Germany. GTAI is unfortunately not able to answer visa requirement queries from private individuals or support individual visa applications.

Further information can be found at the websites of the German Federal Foreign Office [🔗](#) and German Missions Abroad. [🔗](#)

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Promoted by Federal Ministry for Economic Affairs and Energy in accordance with a German Parliament resolution.