Visa for Employees

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 and

The Residence Permit for the Purpose of Taking Up Employment

Employees who are from non-EU countries and who are employed in a new subsidiary company in Germany require a residence permit for the purpose of taking up employment (Aufenthaltserlaubnis für abhängige Beschäftigung) in Germany.

The residence permit for the purpose of taking up employment contains both: the permit to stay and the permit to work in Germany. Foreign nationals do not have to apply separately for a work permit. The residence permit for the purpose of taking up employment contains a statement as to whether and to what extent work will be permitted.

As with a residence permit for self-employment, a residence permit is issued to employees for up to three years. As a rule, the residence permit can be extended without any problems. After five years a permanent settlement permit is issued in most cases.

For information on how to apply for a residence permit, please refer to:

- Visa Application Process

Regulations for Employees from EU Member States

Generally, citizens of the European Union (EU), the European Economic Area (EEA), and Switzerland may enter, stay, and work in Germany without any visa. They only have to register at the local registration office (Einwohnermeldeamt), e.g., if they change their residence to Germany.

Approval from the Federal Employment Agency

A residence permit for the purpose of taking up employment is issued by the local German immigration office (Ausschuss der Bundesländer für das Abwanderungsamt). As a rule, the residence permit is only issued for certain professional groups, e.g.

- Academics
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- IT professionals
- Managerial employees
- Employees with specialist knowledge

and additionally, only if:
- It is possible to demonstrate a specific offer of employment, and
- The Federal Employment Agency (Bundesagentur für Arbeit) has issued its approval.

The Federal Employment Agency issues its approval if no suitable German employee or employees from other EU member states are available (so-called “priority check”) and the foreign employees are hired at the same terms and conditions of employment as comparable German employees (especially in terms of wages and working hours).

Exceptions

There are important exceptions to these rulings.

1. Certain professional groups have a right to a residence permit without requiring the approval of the Federal Employment Agency. These include, among others:
   - Employed managing directors
   - Managerial employees
   - Scientific research personnel

2. The so called EU Blue Card (Blaue Karte EU) may be granted by the local immigration office to certain highly qualified employees without or with only a limited approval of the Federal Employment Agency. Please read more in the EU Blue Card - Residence Permit for Highly Qualified Employees section.

3. The Federal Employment Agency issues its approval without any priority check inter alia for internal specialists with company specific knowledge whose work is required in the German subsidiary. Still, the foreign employee must be hired at the same terms and conditions of employment as comparable German employees.

4. Exceptions also apply to citizens from the following countries:
   - Australia, New Zealand
   - Japan, South Korea
   - United States, Canada
   - Israel

Nationals from these countries do not need to belong to a specific professional group in order to obtain a corresponding residence permit. However, it might still be necessary to obtain an approval including a priority check from the Federal Employment Agency.
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Please note that in any case a residence permit issued by the local immigration office (Ausländerbehörde) must still be obtained.

EU Blue Card - Residence Permit for Highly Qualified Employees

The so called EU Blue Card (Blaue Karte EU) allows highly qualified non-EU citizens to be fast-tracked to employment in Germany.

Foreigners may apply for this special kind of residence permit if they hold a German university degree (or a proven comparable qualification) and demonstrate a job contract with an annual gross salary of at least EUR 55,200 (2020). The local immigration office (Ausländerbehörde) does not need to involve the Federal Employment Agency (Bundesagentur für Arbeit) before issuing the EU Blue Card.

The annual gross salary level is lower (EUR 43,056 in 2020) 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. However, the Federal Employment Agency does not carry out a priority check in these cases, but only checks if foreign employees are hired at the same terms and conditions of employment as comparable German employees.

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 facilitated long-term intra-corporate transfers of specific staff categories by introducing the new “ICT Card.”

The ICT card enables an intra-corporate transfer from a sending entity outside 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 and specialists who have been employed in the sending unit for at least six uninterrupted months immediately preceding the transfer. The ICT card has to be applied for at the German embassy or consulate general abroad - also by Australian, Canadian, Israeli, Japanese, New Zealand South Korean and US nationals.

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 FEA approval without priority check.

Additionally, the short-term mobility of non-EU nationals in possession of an ICT card issued by another EU state has been eased. 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.

The ICT Card complements other existing easements for specific groups of employees temporarily posted to Germany.

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