



The
Federal Government

Make it in Germany

Working in Germany: the official website
for qualified professionals

Questions and answers about the fast-track procedure for skilled workers

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Foreword

Companies in some sectors are already finding it difficult to fill vacancies. Due to increasing demographic change, meeting the demand for skilled workers will remain one of the greatest challenges over the coming decades. In addition to internal migration within the European Union (EU), the recruitment of qualified professionals from countries outside the EU plays a key role in meeting Germany's demand for skilled workers.

With this in mind, Germany's Federal Government expanded the framework for the immigration of qualified skilled workers from countries outside the EU by introducing the Skilled Immigration Act, which came into force on 1 March 2020. Under

the new law, employers have the option of using the fast-track procedure to speed up the process of recruiting skilled workers from abroad and entry procedures.

This brochure provides you with answers to the key questions related to the fast-track procedure for skilled workers. It tells you which documents you need for the procedure, who is responsible for the procedure, and who the procedure is aimed at. In addition to this brochure, the www.make-it-in-germany.com/en/ portal also offers additional information services such as explanatory videos and checklists.

Contact:

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Any questions or suggestions with regard to its content can be sent to make-it@iwkoeln.de.

For further information, please visit www.make-it-in-germany.com.

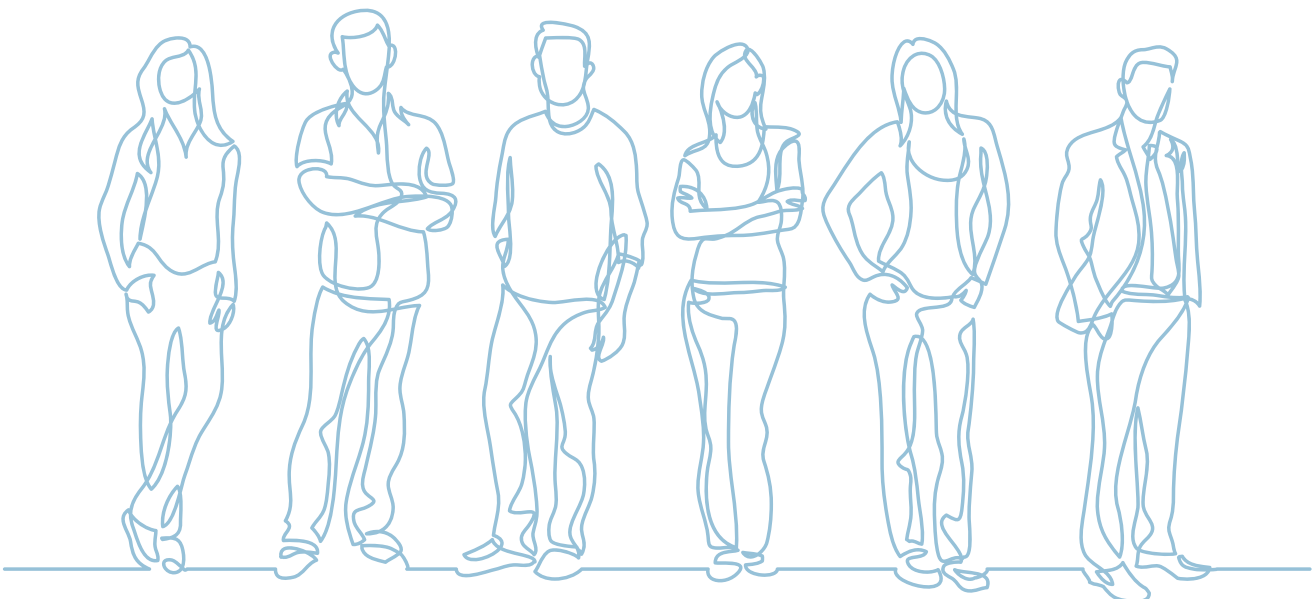
1. What is the fast-track procedure for skilled workers?

The fast-track procedure for skilled workers under Section 81a of the Residence Act (AufenthG) enables employers in Germany to enlist the Foreigners Authority's support to speed up the administrative procedure up to the point when the qualified professional from abroad enters Germany ([see Question 7](#)). This new procedure was introduced under the Skilled Immigration Act. By presenting a specific offer of employment and a letter of authorisation from the qualified professional they wish to recruit, an employer can support their future skilled worker by initiating the fast-track procedure with the competent Foreigners Authority in Germany. This new procedure is optional – qualified professionals can continue to enter Germany via the regular visa procedure.

”

*Manfred Inden, Director of Eiffage
Infra-Nordwest GmbH:*

“We made use of the fast-track procedure. It saved us about six months compared to using the standard procedure for recruiting from a third country.”



2. Who can use the fast-track procedure for skilled workers?

The fast-track procedure for skilled workers is aimed at third-country nationals who are currently abroad. The fast-track procedure for skilled workers can be used for the following groups of people:

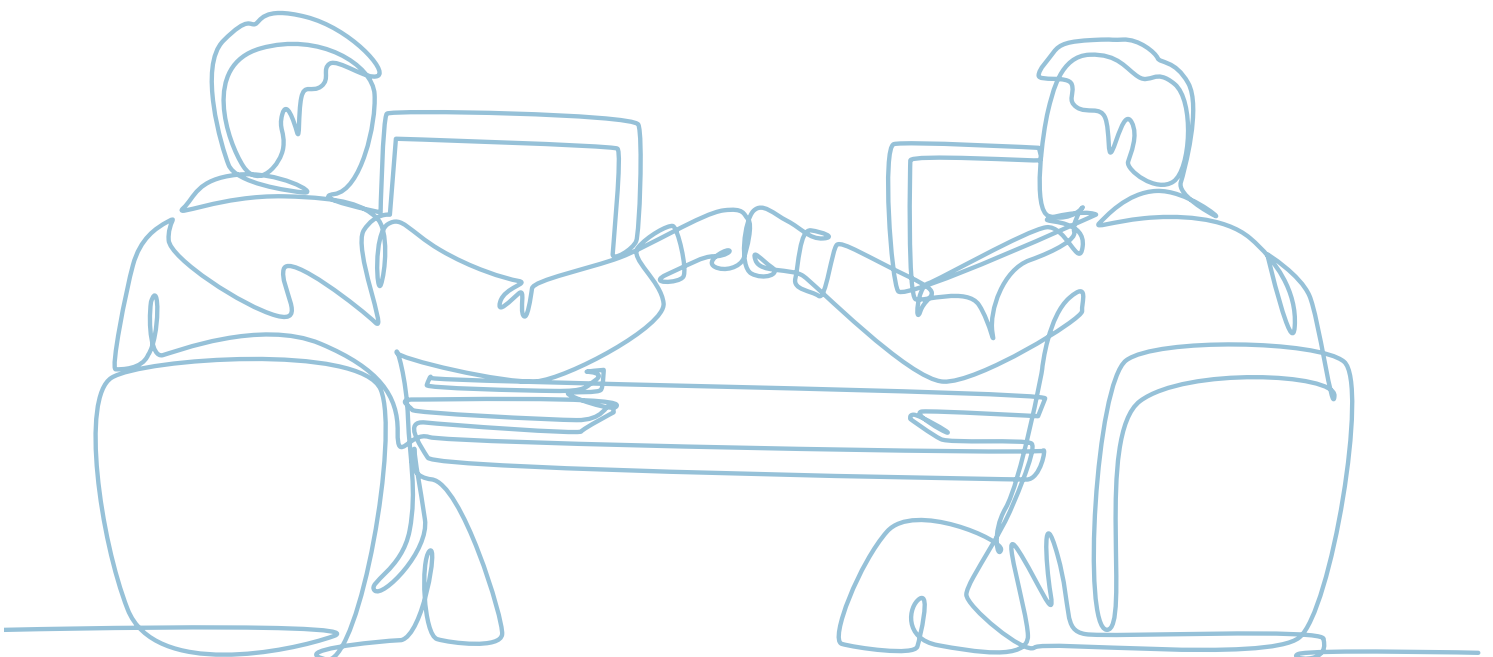
- Skilled workers with vocational qualifications
- Skilled workers with an academic degree
- Apprentices in a company-based vocational training programme
- Vocational school students, if they are able to demonstrate that employment will follow once they have completed their school-based vocational training
- Skilled workers who enter the country for training so as to have their professional qualification recognised
- Other qualified employees (e.g. IT professionals who do not have a formal qualification but have professional expertise; or researchers)

One of the preconditions for pursuing the fast-track procedure for skilled workers is that the applicant has a specific offer of employment for a skilled job. In addition, the skilled worker must have a qualification that allows them to carry out the intended work in Germany. If the intention is to apply for an EU Blue Card, the work must be commensurate with the qualification. If the applicant intends to pursue an apprenticeship, a specific apprenticeship place must be available.

3. How do employers benefit from the fast-track procedure for skilled workers?

Besides paving the way for the entry of qualified skilled workers from third countries, the fast-track procedure for skilled workers also offers German companies an entry process that meets their planning needs. The procedure also has other advantages:

- ✓ The employer has a central point of contact (the competent Foreigners Authority), enabling it to keep track of the skilled worker's entry process.
- ✓ The administrative procedure is significantly shortened thanks to time limits that are set out in legislation and standardised procedures.



4. Which authorities are involved in the process?

The competent Foreigners Authority is the point of contact for the fast-track procedure for skilled workers. Either a central agency has been established to deal with the fast-track procedure for skilled workers or this is the responsibility of the relevant local Foreigners Authority, depending on the federal state. Please refer to Make it in Germany to find out which authority is responsible for the procedure in your federal state: <https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/finding-support/important-points-of-contact>



Important: Please note that in federal states where this procedure is managed on a decentralised basis by the local Foreigners Authorities, the address of the business establishment where the future skilled worker is to be deployed determines which authority is responsible.

What role does the competent Foreigners Authority play?

The Foreigners Authority acts as the central point of contact for this procedure. In an initial advisory meeting, the authority clarifies questions about the individual case and provides information about the procedure and the documents required. The advisory role of the Foreigners Authority is not just limited to explaining the procedure. Where necessary, the Foreigners Authority will also offer assistance in the search for any service providers required (e.g. for authentication procedures at home and abroad) or supplementary advisory services (e.g. where the qualified professional from abroad requires a post-qualification).

If the employer opts for the fast-track procedure for skilled workers, it concludes an agreement with

the competent Foreigners Authority on behalf of the foreign skilled worker. Under the agreement, the Foreigners Authority acts as an intermediary. In this role, it communicates with all the other authorities involved in the procedure, in particular the recognition bodies, the Federal Employment Agency and the German mission abroad where the skilled worker will apply for a visa. The Foreigners Authority is also responsible for keeping track of specified time limits and, if necessary, requesting additional required documents (see [Question 5](#)) from the employer or skilled worker.



Infobox: Has the skilled worker already applied for a visa abroad and the entry process is taking longer than planned? In some cases, it may be worth suspending the current visa procedure and starting the fast-track procedure instead. Employers should therefore mention any parallel procedures to the competent Foreigners Authority during the advisory meeting. The authority can then assess which procedure is more beneficial for the qualified professional from abroad and the employer making the application.



Practical tip for employers: Besides enlisting the advice of the Foreigners Authority, you should also make use of the services offered by regional advisory structures, e.g. the “Integration through Qualification” network, Welcome Centres and chambers. You will find the relevant links at the [end of this brochure](#).

5. Which documents are required to use the fast-track procedure for skilled workers?

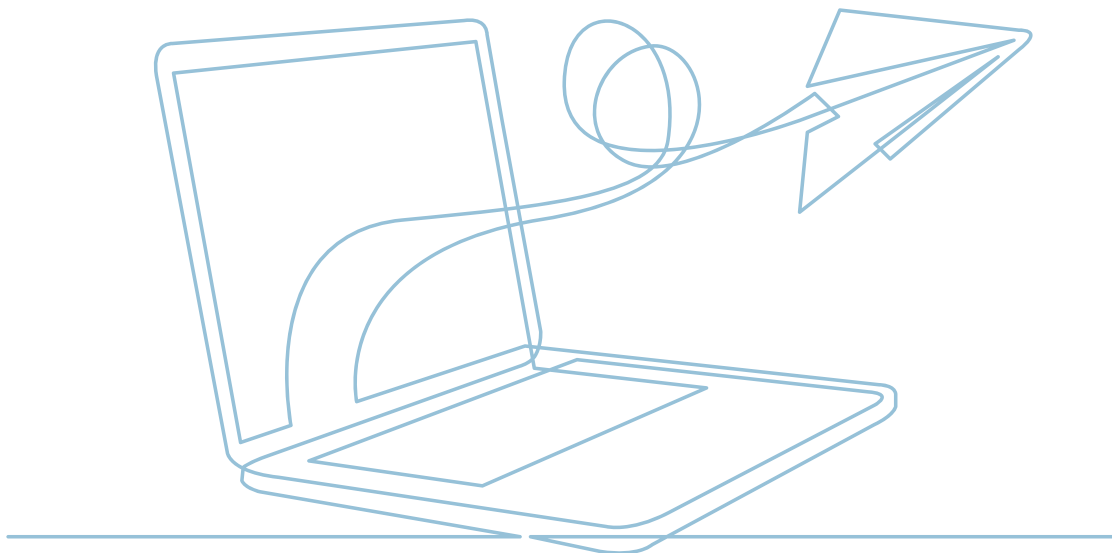
As a rule, the authorised employer must submit the following documents to the competent Foreigners Authority when applying under the fast-track procedure:

- A letter of authorisation from the qualified professional from abroad for the employer: If the employer is represented by a lawyer, a substitute letter of authorisation may be required.
- A copy of the passport of the qualified professional from abroad.

The following documents are also required if professional qualifications from abroad need to be recognised:

- Evidence of the skilled worker's professional qualifications, i.e. the vocational qualifications and/or university degrees that qualify the skilled worker to work in Germany.

- A tabular list, written in German, of the training courses undergone and the gainful activities pursued between completing the apprenticeship and submitting the application. This overview is particularly important for skilled workers with vocational training qualifications and in the case of regulated professions.
- If applicable, certificates of employment, letters of reference and other evidence of formal qualifications, e.g. certificates of participation in continuing education, courses or training.
- A declaration that no application for recognition has yet been made. This declaration must be signed personally by the qualified professional from abroad.



Original documents are not usually requested. For the recognition procedure, it is generally sufficient to submit supporting documents as copies or electronically. Documents must only be submitted as certified copies or, if applicable, as originals after being requested to do so by the recognition body or being notified accordingly by the Foreigners Authority.

However, documents and certificates in foreign languages must always be translated into German. The competent recognition body decides which translations are accepted and whether a translation is not required.

For the approval procedure with the Federal Employment Agency, the “Declaration on the employment relationship” form and, in certain cases, the corresponding supplementary sheets (e.g. Supplementary Sheet A) must be signed by the employer. The declaration contains information on the employer’s offer of employment to the qualified professional from abroad. As a rule, further supporting documents are only required if this is expressly stated in the form.



Practical tip for employers: The Make it in Germany website contains all the necessary forms for the procedure, including a model agreement and a template for a letter of authorisation to apply for a fast-track procedure for skilled workers: <https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/support/downloads>. When recruiting apprentices from third countries under the fast-track procedure for skilled workers, you do not need to complete the “Declaration on the employment relationship” form. Instead, you submit the apprenticeship contract.



Oliver Lützenkirchen of neusta consulting:

“The fast-track procedure involves going to the Foreigners Authority, where you complete and submit an application. Basically, the Foreigners Authority then works behind the scenes, coordinating with the Federal Employment Agency, which is why the whole process is more streamlined.”

6. What do employers have to do under the fast-track procedure for skilled workers?

The employer has a special role to play in the fast-track procedure for skilled workers. In principle, the qualified professional from abroad remains the applicant, but the employer acts as the authorised representative in the procedure. The employer must comply with the following obligations:

- The employer and the competent Foreigners Authority conclude an agreement on the implementation of the fast-track procedure for skilled workers. This agreement describes the procedures involved, and specifies the supporting documents to be provided, the time limits (see [Question 7](#)), the parties involved and their respective obligations.
- Being the authorised representative in the procedure, the employer acts as the direct contact person for both the Foreigners Authority and the qualified professional from abroad. The employer submits all documents to the authority, notifies the qualified professional from abroad of any subsequent requirements and submits any further documents.
- The employer pays the €411 processing fee on conclusion of the agreement (see [Question 10](#)). However, the qualified professional from abroad remains the person liable to pay the fee. The employer also acts as an “authorised representative” in this respect.
- If the Foreigners Authority grants pre-approval, the authorised employer forwards it to the qualified professional from abroad (see [Question 9](#)).



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Infobox: Employers who recruit a large number of skilled workers from third countries may conclude framework agreements with the Foreigners Authority for the implementation of the procedure. However, a separate agreement is still required for each individual case because personal information on age, country of origin and qualifications is required.

Ideal-typical course of action for the fast-track procedure for skilled workers



7. Which time limits apply in the fast-track procedure for skilled workers?

One of the benefits of the fast-track procedure is that fixed time limits apply to each stage of the procedure. These time limits are set out in legislation and are specified in the agreement concluded between the authorised employer and the competent Foreigners Authority.

The processing time for the recognition of professional qualifications under the fast-track procedure is usually two months, compared to four months for standard applications. The same applies for applications for a Statement of Comparability issued by the Central Office for Foreign Education (ZAB). The competent recognition body acknowledges receipt of the application for recognition within two weeks, stating whether the documents are complete or whether certain documents still need to be submitted.

The two-month processing time limit only takes effect once the full application documents have been submitted. In individual cases, this time limit may be extended accordingly, whereby the recognition body must notify the Foreigners Authority of this in good time and give reasons.

In many cases, the intended employment requires the approval of the Federal Employment Agency. Based on the information provided in the “Declaration on the employment relationship” form, the Federal Employment Agency checks the working conditions and decides whether the qualified professional from abroad is qualified to perform the intended work. If the Federal Employment Agency has no follow-up questions or requests within the space of a week, approval is deemed to have been granted.

The fast-track visa procedure abroad requires that the applicant has been granted pre-approval for a visa (see [Question 9](#)). If such pre-approval is submitted to the competent German mission, the qualified professional will be given an appointment to apply for a visa within three weeks. Provided that documents are presented in full at this appointment, the German mission will usually decide on the visa within three further weeks. The time limit may be extended if the German mission has not yet received all the documents and information.

Overview of the time limits set out in the procedure

Stages of the procedure	Stages of the procedure	Time limits set out in legislation
The competent recognition body	Equivalence procedure/procedure for the recognition of professional qualifications	Usually 2 months
Federal Employment Agency	Approval procedure	1 week
The competent German mission	Visa procedure	Appointment to apply for a visa: 3 weeks Decision concerning the visa: usually 3 weeks

8. What happens during the recognition of professional qualifications under the fast-track procedure?

One of the requirements for issuing a visa is the equivalence or recognition of foreign qualifications. If the applicant does not have proof of recognition in the form of a recognition notice or a Statement of Comparability before the fast-track procedure is started, the Foreigners Authority must initiate the appropriate procedure with the competent authority. The following results are possible:

- **Full recognition:** If the qualified professional receives full recognition of their qualification in a non-regulated occupation, they may practise their profession in Germany. In the case of regulated professions, a professional practice permit may also be required.



Practical tip for employers: The professional practice permit includes the authorisation to practise the profession under the rules governing the profession and the granting of authorisation to use the professional title. Whether a professional practice permit is required for the employment in question should be stated in the “Declaration on the employment relationship” form ([see Question 5](#)).

- **Partial recognition/imposition of a compensation measure:** In this case, the applicant only receives partial recognition of their foreign professional qualification from the competent recognition body or, in the case of a regulated profession, a compensation measure is needed or further requirements must be met. In such cases, the qualified professional is required to compensate for the shortcomings identified. This can also be done in Germany. The substantial dif-

ferences identified are listed in the recognition notice. In the case of regulated professions, the compensation measure relevant to the profession and the legal arrangements (adaptation period or a knowledge or aptitude test) is specified. In consultation with the qualified professional abroad, the fast-track procedure for skilled workers may be terminated or continued. If the procedure is to be continued, pre-approval is no longer sought for a residence permit for the purpose of employment, but for a **residence permit for the purpose of undertaking training** (Section 16d AufenthG).



Practical tip for employers: If the skilled worker is to enter the country for post-qualification, the competent Foreigners Authority is also the first point of contact in this case, and may refer you to other advisory services in your region (e.g. the advisory services of the “Integration through Qualification” network: <https://www.netzwerk-iq.de/angebote/unternehmen/qualifizierung>).

- **No recognition or rejection:** Applications for the assessment of equivalence or for recognition will be refused if the differences between the foreign professional qualification and the German reference occupation are too great and cannot be compensated for. In this case, the differences cannot be compensated for by participating in a compensation measure within the meaning of Section 16d AufenthG. If the employer rules out other options such as an apprenticeship in Germany, the competent Foreigners Authority will terminate the fast-track procedure for the skilled worker in question.

9. When is the procedure considered successfully completed?

In the fast-track procedure for skilled workers, the competent Foreigners Authority grants pre-approval for a visa if all requirements are met. This means:

- The qualified professional has received full or partial recognition of their qualification from the recognition body. In the case of a regulated profession, the recognition body must grant or agree to grant the licence to practise the profession. Alternatively, it may also issue a notice imposing a compensation measure.
- The Federal Employment Agency has approved the employment.
- Certain general requirements for the issue of a residence permit have been met, e.g. independent means of subsistence, compliance with the passport obligation or clarification of the qualified professional's identity and nationality.

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Dr. Michael Arnold of PEER Group GmbH:

“We can be much more certain than before that this process will be successful. Once we have found employees abroad, we can be very sure that it will ultimately work out.”

The pre-approval certification is given to the employer, who then sends it to the qualified professional. The qualified professional can then use this document to apply for and receive a visa from the competent German mission abroad. Please note that the granting of pre-approval by the Foreigners Authority is no guarantee that a visa will be issued. In its capacity as the competent authority, the competent German mission abroad decides on visas for entering Germany.



Practical tip for employers: The Foreigners Authority stores a digital copy of the pre-approval for a visa in the Central Register of Foreign Nationals (AZR), meaning that it can be accessed by the competent diplomatic mission abroad. As a result, an appointment can be booked for the qualified professional without any further delay.



10. How long does the fast-track procedure for skilled workers take and how much does it cost?

Allowing for the various stages of the procedure (recognition, approval and visa procedures) and the associated fixed time limits, the fast-track procedure for skilled workers usually takes **about four months**. If the qualified professional already has a recognition notice with partial or full recognition prior to applying for the procedure, the procedure is shortened accordingly.

The fast-track procedure for skilled workers is subject to a charge. On conclusion of the agreement, the Foreigners Authority charges a €411 fee for processing the application. The qualified professional is regarded as the person liable to pay the fee. However, the employer may choose to pay the full amount of the fee itself by declaring that it will bear the costs.

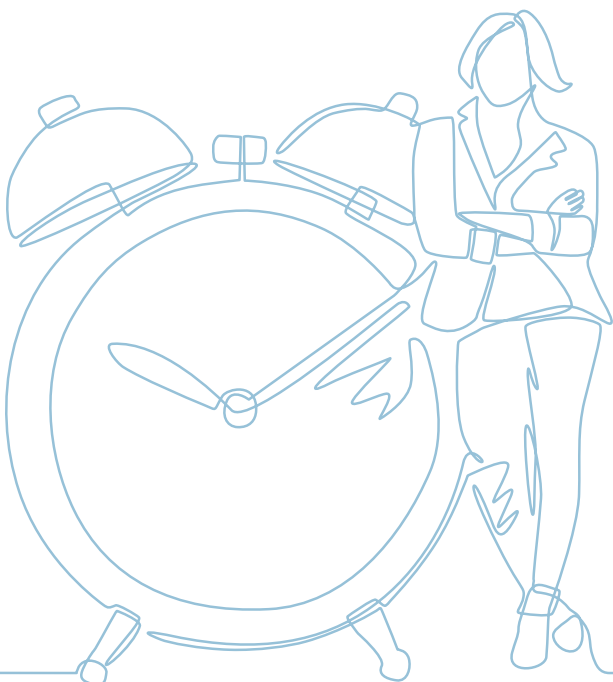
There are additional costs for:

- the procedure for the recognition of foreign professional qualifications
- the issue of a professional practice permit, where applicable
- the visa procedure abroad

These costs are not charged by the Foreigners Authority. The qualified professional from abroad must pay these costs directly to the competent authorities.

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Infobox: Throughout the entry process, qualified professionals from abroad may incur additional costs, such as for the certification of copies, and for the translation and verification of the authenticity of documents and certificates.



11. What happens if the competent authority does not grant pre-approval for a visa?

If the requirements are not met, the Foreigners Authority will not grant pre-approval for a visa. This can happen, for example, if the procedure for recognising the foreign qualification is negative or if the Federal Employment Agency does not approve the employment. In such cases, the fast-track procedure for skilled workers is automatically terminated. The €411 service charge will not be refunded.

Appeals against decisions of the competent recognition bodies should be made directly to these bodies. Appeals cannot be lodged with or with the assistance of the Foreigners Authority. In contrast, it is not possible to appeal against the rejection of pre-approval or the rejection of the approval of employment, because these are internal administrative processes between the authorities involved.



12. Important/useful links related to the fast-track procedure for skilled workers

The fast-track procedure for skilled workers

The fast-track procedure for skilled workers:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/entering/the-fast-track-procedure-for-skilled-workers>

Points of contact in the federal states:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/support/important-points-of-contact>

Enclosures required for the application to the procedure:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/support/downloads>

The fast-track procedure for skilled workers (Section 81a AufenthG) – at a glance:

<https://make-it-in-germany.com/en/pdfs/fast-track-procedure-for-skilled-workers>

Notes on the application of the Skilled Immigration Act, Section 81a:

https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/anwendungshinweise-fachkraefteeinwanderungsgesetz.pdf?__blob=publicationFile&v=5

General information for employers on Make it in Germany

Opportunities for skilled labour immigration:

<https://make-it-in-germany.com/en/pdfs/guide-for-employers>

At a glance: skilled labour immigration from abroad:

<https://make-it-in-germany.com/en/pdfs/attracting-professionals-from-abroad>

Current projects to recruit skilled professionals:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/support/projects>

Welcome Centres:

<https://www.make-it-in-germany.com/en/living-in-germany/discover-germany/german-states>

Publishing job advertisements in the Make it in Germany job listings:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/recruitment/recruitment-channel/job-offer>

The Working and Living in Germany hotline:

<https://www.make-it-in-germany.com/en/looking-for-foreign-professionals/support/contact-us/hotline>

Information on the recognition of foreign professional qualifications

Recognition in Germany – information for employers:

<https://www.anerkennung-in-deutschland.de/html/de/arbeitgeber.php>

The “Integration through Qualification” network, offers for companies:

<https://www.netzwerk-iq.de/foerderprogramm-iq/landesnetzwerke/karte>

The BQ-Portal:

<https://www.bq-portal.de/en>

The “Unternehmen Berufsanerkennung“ project:

www.unternehmen-berufsanerkennung.de

IHK Foreign Skills Approval (IHK FOSA):

<https://www.ihk-fosa.de/en/>

Anabin:

www.anabin.kmk.org

Other points of contact for recruiting skilled workers from abroad

International and Specialized Services (ZAV) of the Federal Employment Agency:

<https://www.arbeitsagentur.de/en/welcome>

German Agency for International Healthcare Professionals:

<https://www.defa-agentur.de/en/background/>

German Chambers of Commerce Abroad:

<https://www.ahk.de/en/>

Employer Service of the Federal Employment Agency:

<https://www.arbeitsagentur.de/unternehmen/arbeitskraefte/passende-arbeitskraft>

