

99010012001002

Employment permit issued with toleration

Heruntergeladen am 20.06.2025

<https://fimportal.de/xzufi-services/S1000020010000013226/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99010012001002
Leistungsbezeichnung I	Employment permit issued with toleration
Leistungsbezeichnung II	Apply for a work permit for persons with tolerated status
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.07.2024
Fachlich freigegeben durch	
Handlungsgrundlage	Section 4a paragraph 4 Residence Act (AufenthG)
Teaser	If you have 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 staying in Germany on a tolerated basis, you are only allowed to work if this is expressly stated in your toleration permit (certificate of suspension of your deportation). If you want to work, you must apply for a work permit. This also applies if you want to do an in-company vocational training or an internship. If you want to complete an in-company vocational training (dual training), you must apply for a work permit for the specific training position individually. You do not need a permit for a school-based vocational training. To process your application, the responsible authority usually involves the Federal Employment Agency, which checks the working conditions. If you have already been living in Germany for more than four years without interruption, the Federal Employment Agency no longer needs to be involved. The work permit will be issued to you for a maximum period of time equal to the duration of your current toleration. If the duration of your toleration is extended, the duration of your work permit can also be extended under certain conditions.</p> <p>You may not engage in gainful employment if</p> <ul style="list-style-type: none"> • You have come to Germany to receive benefits under the Asylum Seekers Benefits Act, • your termination of your stay cannot be carried out for reasons for which you are responsible, or you have violated your duty to cooperate in removing the obstacle to deportation (for example, inadequate cooperation in obtaining a passport or proof of identity, deception regarding identity or nationality), • Your toleration was granted with the addition "toleration for persons with unclear identity", or

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	<ul style="list-style-type: none"> • You come from a so-called “safe country of origin”, i.e. from a member state of the European Union, Albania, Bosnia and Herzegovina, Ghana, Kosovo, the former Yugoslav Republic of Macedonia (North Macedonia), Montenegro, Senegal, Serbia or Georgia and you have submitted an asylum application after 31 August 2015 which was rejected or withdrawn, unless the withdrawal was made following advice from 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	<ul style="list-style-type: none"> • Valid certificate of suspension of deportation (toleration) • Identity document (e.g. passport or passport substitute), if available • Declaration of employment relationship (to be completed in full by the employer) <p>In individual cases, the competent authority may require less or more evidence.</p>
Voraussetzungen	<ul style="list-style-type: none"> • You have a valid temporary residence permit and have been residing in Germany for at least three months. • If you are obliged to live in a reception facility, you have been residing in the federal territory for at least six months. • They do not come from a safe country of origin. • An employer has offered you a specific job and filled out the “Declaration of Employment Relationship” form. • The conditions under which you will work in the future are comparable to those of German employees. • Their wages correspond to those of German employees.
Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	<ul style="list-style-type: none"> • If the application can only be submitted in person, please submit the “Declaration of Employment Relationship” form fully completed by your employer in advance and arrange an appointment. If you apply online, the responsible office will contact you after receiving your application to arrange an appointment. • Find out whether the office responsible for you allows you to submit your application online or has a special

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application form.

- During the appointment, your identity and documents will be checked (please bring your documents, preferably in the original, with you to the appointment).
- As a rule, the Federal Employment Agency is asked for approval.
- If the work permit is granted, a corresponding entry is usually made on your toleration permit (under "additional conditions") or on an additional sheet.

Bearbeitungsdauer

Please allow several weeks for processing.

Frist

You should apply for permission to engage in employment before entering into an employment contract.

weiterführende Informationen
Hinweise

- a foreign person is required to leave the country, but deportation is impossible for factual or legal reasons, or
 - urgent humanitarian or personal reasons or significant public interests require continued presence in Germany. The foreign person's stay is therefore not legal, but enforcement of the obligation to leave the country is temporarily not an option.
- The certificate of suspension of deportation (toleration) is not a residence permit. It is issued if
 - The work permit can be withdrawn if the foreign person is employed under less favourable working conditions than comparable domestic employees.

Rechtsbehelf

- Contradiction
- legal action

Kurztext

- Anyone staying in Germany with a temporary suspension of deportation may only work if a work permit is noted in the temporary suspension of deportation (also applies to in-company vocational training and internships, does not apply to school-based vocational training)
- The local immigration authority usually involves the Federal Employment Agency
- A work permit is issued for a maximum period of time

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equal to the current toleration and can be extended if the requirements are met.

- who have come to Germany to obtain benefits under the Asylum Seekers Benefits Act,
- whose residence cannot be terminated for reasons for which they themselves are responsible, or who have violated their duty to cooperate in removing the obstacle to deportation (for example, inadequate cooperation, deception),
- whose toleration was granted with the addition "toleration for persons with unclear identity",
- from so-called "safe countries of origin" (EU member states, Albania, Bosnia and Herzegovina, Ghana, Kosovo, North Macedonia, Montenegro, Senegal, Serbia, Georgia) who submitted an asylum application after August 31, 2015, which was rejected or withdrawn. Exception: the withdrawal was made following advice from the Federal Office for Migration and Refugees. Even if no asylum application was submitted, these people cannot receive a work permit.
- Persons will not receive a work permit if

Ansprechpunkt

Zuständige Stelle

Department of Home Affairs and Sport

Formulare

Ursprungsportal

Hamburg Service, Hamburg Service (Currently this link is only available in german)