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# Residence title for employment - change of employer

- Do you have a residence permit for the purpose of employment or an EU Blue Card?
- Would you like to change company / job?
- But your employment permit is still restricted to a specific company?

You can then apply online to have your residence permit for employment or EU Blue Card changed.

However, please note our important notes beforehand. You may be able to simply change employer / job without having to change your residence title.

## **Important notes:**

**A)** Your residence permit for the purpose of employment does not need to be changed, if you

- have been lawfully employed in Germany for at least two years and subject to compulsory insurance **or**
- have been in Germany for at least three years without interruption with permission, temporary suspension of deportation (Duldung) or permission to remain pending an asylum decision (Aufenthaltsgestattung) (previous periods of study can only be counted as half and up to a maximum of two years) **and**
- in addition, no time limit is fixed by law for your type of employment (such as, for example, in the case of speciality chefs or within the framework of an exchange of personnel of an internationally operating company).

**B)** Your EU Blue Card does not need to be changed if you

- have already been in employment subject to compulsory insurance for at least one year.

## **In cases A) and B) you have already gained free access to the German labor market.**

This means that you can change to any other job by law without prior authorization. It is not necessary to change your residence title for employment. The Berlin Immigration Office (LEA) will issue you with a certificate on request.

**Exception:** This does not apply to nationals of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia with a residence permit in accordance with Section 19c (1) AufenthG in conjunction with Section 26 (2) BeschV. § Section 26 (2) BeschV (so-called Western Balkans regulation).

If you are a citizen of one of these countries with such a residence permit, please always apply online to change your residence permit.

**C)** Do you still work for the same employer, but only the name of the company or your job title has changed?

- Also in this case your residence title does not need to be changed. Then please read our "Information sheet for foreign employees" (see below in

section "More information").

## Procedure

### 1. Carry out the online application.

- Please have the completed "Erklärung zum Beschäftigungsverhältnis" form and the new employment contract ready for this in PDF format if possible. However, you can also still photograph and upload the documents during the application process using your smartphone or tablet.
- The following file formats are accepted: PDF, JPG, JPEG, and PNG. The total size of your files must not exceed 50 MB. A single file must be a maximum of 5 MB in size.
- At the end you will receive a PDF document to confirm your application.

### 2. Once you have carried out the online application, we will check it and then contact you as soon as possible.

- Depending on the nature of your employment, we must obtain approval for the change of employment from the Federal Employment Agency (Bundesagentur für Arbeit).
- Where necessary, we will request further documents.

### 3. If your application is approved, we will either give you an appointment for an interview or send you a letter.

## Prerequisites

- **Possession of a valid residence title for employment**
  - You have either an EU Blue Card or a residence permit.
  - If you have a residence permit: The residence permit was issued for employment in accordance with § 16a (1), § 18a, § 18b, § 18d, § 18f, § 19c or § 38a AufenthG.
- **Your residence title for employment is still valid for at least 8 weeks**

If your residence title is valid for less than 8 weeks, please apply for a new residence title.

To do so, use the appropriate online application for your residence title (see section "More information").
- **Your work permit is limited to one company and you would like to switch to another company**
- **Main residence in Berlin**

You live in Berlin. A second residence in Berlin is not sufficient.
- **Current email address**

The Berlin Immigration Office will contact you via your current email address. Please also check your spam folder regularly.

## Documents required

- **Application to change your residence title to change your employer**
  - only possible online
  - You will receive a PDF document as confirmation of your application.
- **Form "Erklärung zum Beschäftigungsverhältnis" (filled out and signed by your employer)**

The form is not required for an au pair's change of host family.

- **Contract with the new employer**

The draft is also sufficient.

- **Passport or other identification document**

Information on the number and validity of your passport or passport replacement is required for the online application.

## Forms

- **Erklärung zum Beschäftigungsverhältnis (job description)**

([https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/\\_assets/mdb-f50329-stellenbeschreibung\\_2017.pdf](https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/mdb-f50329-stellenbeschreibung_2017.pdf))

## Fees

- none: when changing the residence permit or EU Blue Card or issuing a certificate

## Legal basis

- **Aufenthaltsgesetz (AufenthG) § 4a**

([https://www.gesetze-im-internet.de/englisch\\_aufenthg/englisch\\_aufenthg.html#p0085](https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0085))

- **Aufenthaltsgesetz (AufenthG) § 18**

([https://www.gesetze-im-internet.de/englisch\\_aufenthg/englisch\\_aufenthg.html#p0431](https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0431))

- **Beschäftigungsverordnung (BeschV) § 9**

([https://www.gesetze-im-internet.de/englisch\\_beschv/englisch\\_beschv.html#p0053](https://www.gesetze-im-internet.de/englisch_beschv/englisch_beschv.html#p0053))

## More information

- **Information sheet for foreign employees (Landesamt für Einwanderung)**

([https://www.berlin.de/einwanderung/\\_assets/lea-4316a-merkblatt-fuer-arbeitnehmer-und-arbeitnehmerinnen-032023.pdf](https://www.berlin.de/einwanderung/_assets/lea-4316a-merkblatt-fuer-arbeitnehmer-und-arbeitnehmerinnen-032023.pdf))

- **Applying for a residence title for employment**

(<https://www.berlin.de/einwanderung/en/services/our-services/artikel.878265.en.php#economic>)

## Average time to process request

[https://liste-antraege-bc01.bda.service.berlin.de/intelliform/forms/default/bda/LEA/Beschaeftigung\\_Arbeitgeberwechsel\\_Inbox/index](https://liste-antraege-bc01.bda.service.berlin.de/intelliform/forms/default/bda/LEA/Beschaeftigung_Arbeitgeberwechsel_Inbox/index)