

Leaflet for the employment of foreigners¹ at Chemnitz University of Technology

A Employment of foreigners from the European Union

Citizens of the European Union – regardless whether they enter Germany for the first time or whether they are already employed in Germany – will get a contract of employment and after having taken up the employment they have to contact immediately the foreigners' authority Chemnitz.

Citizens of the member states of the European Union profit from unrestricted worker mobility in Germany: Austria, Belgium, Bulgaria², Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania², Sweden, Slovakia, Spain and United Kingdom.

Citizens of Switzerland are considered the same way as citizens from EU-member countries.

B Employment of foreigners from Non-European Union-countries

Hereafter will be treated the employment of staff employed under the terms of collective agreement. In case that the intended **employment shall be permanent as civil servant** there exist specific legal regulations. For that reason the administrative unit for human resources has to be contacted before.

A foreigner can only be employed under the precondition that he is in possess of a valid **residence entitlement** (residence permit, settlement permit, permanent residence permit-EU). If he is not able to submit a document proving a valid residence entitlement at latest at the date of the beginning of employment he applied for, he cannot be employed. In contrast to scientists non-scientific staff needs an additional **working permit**. In this case the administrative unit for human resources has to be informed before the submission of the application because of necessary complex procedural steps.

1. **Application for employment** of a research assistant

- **who shall where be employed from when to when?**
- **application with necessary documents** (Covering letter, curriculum vitae including indications concerning nationality, degree certificate as certified copy, preferably in German translation)
- if the foreigner intends to take up **doctoral studies** in addition to the employment, the administrative unit for human resources shall be informed about that. In that case there has to be added the invitation letter of the professor for the foreigner to the application.

In the course of the introduction of the Electronic Residence Permit³ (eAT) it is requested to apply as soon as possible. The embassy and the foreigners' authority will need **at least six to eight weeks for the processing** of the application and the issue of the respective documents.

¹ This leaflet does neither include the regulations for the employment of **student or graduate assistants** nor the special characteristics for the conclusion of contracts for **lectureships/ guest lectureships**.

² Citizens of the new EU-member countries Bulgaria and Romania can only be employment as non-scientific staff if they possess a working permit-EU. Unrestricted working mobility will only be granted after a certain transitional period. These exceptional regulations will probably be valid until the 31.12.2013. Source: www.arbeitsagentur.de, Leaflet for the employment of foreign employees, last updated August 2011.

³ See „Further information“

2. The administrative unit for human resources will first check if **the foreign university degree equates a German university degree**. This is a precondition for the employment as research assistant within the payment group 13 TV-L. If this equivalence is given, a letter of intent for the employment of the foreigner and a preliminary contract will be issued. These documents will be filed to the secretariat of the professor to forward them to the foreign candidate for the submission to the embassy. In case that the foreign candidate is already employed in Germany he has to submit the documents to the responsible foreigners' authority (responsibility according to the present residence).
3. As soon as the visa is issued it has to be presented to the responsible advisor at the administrative unit for human resources. Subsequently, in case that every precondition for employment is fulfilled, a contract of employment can be issued and the candidate can be employed. In preparation of the **recruitment interview** it has to be clarified towards the respective advisor if a translator is required or not.
4. If not done already, the foreigner has to **contact the foreigners' authority** immediately after entering Germany.

In the case that a **continued employment** of a research assistant who already is employed at Chemnitz University of Technology is intended the respective application has to be submitted in due time. It shall be emphasized that caused by the alterations in the course of the introduction of the Electronic Residence Permit the foreigners' authority will require an **increased processing time (at least six to eight weeks)**.

The following documents have to be submitted at the day of or immediately after the **recruitment interview**:

- Replacement certificate to income tax (available at the responsible tax office)
- Social security card (available at the health insurance resp. the pension insurance). At the occasion of the first employment in Germany one has to apply for this card. Normally it will take several weeks before this card is issued.
- Bank account in Germany or the European Union
- If appropriate, certificate of adherence to a statutory health insurance in Germany

It is recommended to begin with the preparations as far as possible before the intended beginning of the employment.

There might be complications for foreigners who are **studying in Germany or who are entering Germany as family members** and who only hold a visa for that purpose. In the cases that they shall get a contract of employment as scientific assistant or that family members intend to start working in Germany, the purpose of residence which led to the issue of the visa changes. As a consequence a widely intensive examination by the foreigners' authority has to take place. Also in that case the procedure of employment at Chemnitz University of Technology will be carried out in the same way like the procedure for persons who shall be employed at the university for the first time. **Please note that an employment can only be taken up under the preconditions that a valid residence entitlement of the foreigners' authority is issued and that a respective contract of employment is signed.**

Further information

Welcome Center of the International Office of Chemnitz University of Technology:
<http://www.tu-chemnitz.de/welcomecenter>

Brochure concerning the Electronic Residence Permit, multilingual
<http://www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/Broschueren/broschuere-eat-a4.html?nn=2529646>

This leaflet will serve as information concerning the most common issues with regard to the employment of foreigners at Chemnitz University of Technology. Please note that at this place not all exceptions and characteristics of the regulations could be considered. For questions with regard to personal cases the staff of the administrative unit for human resources will voluntarily be at your disposition.