

# Information

## on the admissibility of employment

### **Note on the permissibility of exercising (secondary) employment according to the current legal situation**

In accordance with the new legal regulations, the following new employment requirements are in effect since 1 March 2024

#### **Residence permit for vocational training (§ 16a Residence Act):**

*The residence permit entitles the holder to work up to 20 hours per week independently of the vocational training.*

#### **Residence permit relating to measures for the recognition of foreign professional qualifications (§ 16d Residence Act):**

*The residence permit entitles the holder to work up to 20 hours per week independently of the qualification measure. (Exception: If the residence permit is only issued to take examinations for the recognition of a foreign professional qualification in accordance with § 16d Paragraph 5 of the Residence Act, employment is not permitted)*

#### **Residence permit for participation in a language course (§ 16f Residence Act):**

*The residence permit entitles the holder to work up to 20 hours per week.*

#### **Residence permit for seeking a vocational training or study place (§ 17 Residence Act):**

*The residence permit entitles the holder to work up to 20 hours per week and to carry out trial employment of up to two weeks in total.*

#### **Residence permit for studying, language course in preparation for studying and attendance at a preparatory college (§ 16b Residence Act):**

*Employment of up to 140 working days per year in accordance with § 16b Paragraph 3 of the Residence Act as well as part-time student employment permitted.*

According to this regulation, students are allowed to work 140 full days or 280 half days per year. The 140 full days correspond to your working day account. The calculation is based on the current calendar year. Your working day account can also be filled with half days. You can decide for each calendar week how your working day account is to be credited. The following options are available:

1. Working hours of up to four hours per day are considered half a working day if the normal daily working time is eight hours (the maximum duration for a half day is five hours with a daily working time of ten hours) or
2. during the lecture period, you can work up to 20 hours a week. This will then be counted as two and a half days on your working day account. You can distribute the working hours flexibly within the week or
3. outside the lecture period you can work without restriction. These working hours are then credited to your

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working day account as two and a half days.

Night shifts of a maximum of eight hours count as one day of employment. This means that fixed student jobs are also possible - e.g. three working days a week for 40 weeks a year. Only the days on which you actually work are counted. Paid or unpaid holidays and sick days are therefore not counted towards the 140 days or 280 half days. The calendar year is decisive for calculating the annual period. This applies regardless of when you arrive or when you finish your studies. So if, for example, you have already worked for 140 days in October and then extend your residence permit, you will not receive a new 140 days, but will only be allowed to work again from January of the following year.

The amount of your salary is irrelevant. You only need to ensure that you do not exceed the time limit, as this is your own responsibility and that of your employer.

**It is not necessary to make a separate application to change the above-mentioned additional conditions, as the new employment conditions apply by law.** The respective employment conditions will then be adjusted as part of the extension of your residence permit.