



## Ways through the jungle of competences

Pre-application information and advisory provision for individuals seeking recognition

► People who are trying to obtain recognition of a foreign qualification so that they can work in Germany require a great deal of information about the legal bases of the various possible recognition procedures, and about the German vocational education and training system and labour market. Only then can they work out whether a procedure is worthwhile and where they can apply for an equivalency review. The article points out the challenges faced by individuals on the way to applying successfully for recognition of their occupational qualifications, and what information and advisory provision is available to support them.

### What individuals seeking recognition should find out before they apply

An electrotechnician from Poland, a teacher from Vietnam or a medic from Turkey – individuals seeking recognition<sup>1</sup> normally do so in the aim of finding employment in the German labour market which matches their qualifications. Recognition of their foreign occupational qualification can be a crucial stepping stone. Some applicants, if their occupational qualifications fall within the Federal Government's responsibility in Germany, stand to benefit from the recent Federal Recognition Act.<sup>2</sup> Apart from gathering all the necessary evidence and translations required for the recognition procedure, applicants for recognition need to find out about the content of initial vocational training for German reference occupations and the German qualification bodies responsible for them, the legal regulations of the various possible recognition procedures, residency and labour law (particularly for non-EU/EEA citizens), and the structure of the German labour market. Only then will they be able to assess whether a recognition procedure is worthwhile for their career prospects in Germany, what chances they have of successful recognition, and which institution is responsible for dealing with their application.

### Applicants for recognition should identify their German reference occupation

A Polish skilled worker from Warsaw who has worked in a recycling company in his home country for years decides



#### CLAUDIA MORAVEK

Research associate in the "Internet/Coordination of Enquiries/Internal Knowledge Management" section and project leader of the "Recognition in Germany" portal at BIBB

<sup>1</sup> The term "individuals seeking recognition" (German: *Anerkennungssuchende*) refers to people who are trying to obtain recognition of their foreign occupational qualification.

<sup>2</sup> The "Federal Recognition Act" is the shortened title of the "Act to improve the assessment and recognition of foreign vocational and professional qualifications" (*Gesetz zur Verbesserung der Feststellung und Anerkennung im Ausland erworbener Berufsqualifikationen*, 6.12.2011, BGBl, Part I, p. 2125). The "Professional Qualifications Assessment Act" (*Berufsqualifikationsfeststellungsgesetz*, BQFG) cited in this article is incorporated as Article 1 of the Federal Recognition Act.

to look for work across the border in Frankfurt an der Oder. He translates the Polish wording of his qualification into German and the result is along the lines of “Electrotechnician in the Waste Management Industry”.<sup>3</sup> He now wants to submit an application for recognition of his foreign qualification for this occupation. Whether or not he needs to have his qualification recognised in order to practise this occupation in Germany depends upon whether or not the German reference occupation is a regulated one.<sup>4</sup> The reference occupation also determines whether there is any legal entitlement to a recognition procedure (cf. FOHRBECK in BWP 5/2012). Identification of the right reference occupation is therefore the starting point of any recognition procedure.

At this point, the Polish worker is confronted with his first challenge: in Germany, “electrotechnician” is not an unmistakable reference occupation, but rather, an informal collective term for occupations that involve electrical and technological tasks. A qualification as an “electrotechnician” might equate to a completed dual system apprenticeship, an advanced vocational training qualification regulated under Land law, or a graduate occupation. For each of these three possible options, different legal bases are currently in force for recognition of the foreign qualification.

For example, if the applicant has a qualification that is comparable, in terms of training content and occupational experience, with the German reference occupation of “Electronics Technician for Automation Technology”, then according to the new Federal Recognition Act he has a legal entitlement to a recognition procedure because this is an occupation that falls within the competence of the Federal Government. It is a dual system training occupation that is not regulated in Germany beyond the apprenticeship level. If the Polish skilled worker is not aiming for recognition at master craftsman level, then he need not have his qualification recognised but could apply directly to a German company. However, the statement of equivalence may be useful in finding a job because it gives employers or the labour administration information about the applicant’s occupational qualification. The example shows that merely translating the title of the Polish occupation does not give the Polish applicant any definite information on which German occupation his qualification will be equivalent to for recognition purposes, or which body he can apply to for recognition.

## The reference occupation determines which body should deal with the application

In Germany there is no central body that is responsible for processing applications and conducting recognition procedures. While the Federal Recognition Act put in place legal provisions for the recognition procedures for the occupations regulated at Federal Government level, the fact remains that the 16 German Länder are responsible for implementing the federal law. For every occupation, each of the Länder has its own competent bodies, authorities or institutions which are responsible for reviewing the foreign occupational qualification’s equivalence to a German reference qualification on the basis of current legal and procedural regulations. At present the “Recognition Finder” database on the “Recognition in Germany” portal for individuals seeking recognition lists more than 1,000 different competent bodies nationwide, which are responsible for recognition procedures for the approximately 700 occupations governed by federal law. The competent bodies are also responsible for conclusive identification of the reference occupation. For example, the Federal Recognition Act (§ 8 BQFG) states that for non-regulated dual system training occupations<sup>5</sup> the chambers (chambers of skilled crafts and trades, chambers of industry and commerce foreign skills approval competence centre, chambers of agriculture, etc.) are the competent bodies for the occupations within their sectors. For the regulated occupations, e.g. the medical occupations requiring academic training, responsibility depends on the relevant law on qualifications and the regulations in force in the 16 German Länder. In addition, the Länder are responsible for the occupations not regulated in Land law, although there is no legal entitlement to a procedure for these at present. The Länder are currently working on their own statutory provisions for the occupations regulated at Land level, using the Federal Recognition Act as a framework.

What this means with reference to the above example is that although the electrotechnician from Warsaw is not yet registered at an address in Germany, he has to apply to a competent body in a specific region, in his case Frankfurt an der Oder because that is where he wants to work.

## Further skills are an advantage

If the Polish applicant can present the local competent body with all the necessary documentation for his application, then he has accomplished a first, important step: the groundwork for submitting an application is done. Nevertheless, in comparison to a citizen from a third coun-

<sup>3</sup> The case examples are anonymised descriptions of applicants who have submitted an enquiry to the “Recognition in Germany” information portal: [www.anerkennung-in-deutschland.de](http://www.anerkennung-in-deutschland.de)

<sup>4</sup> Regulated occupations are occupations which, under legal or administrative regulations, may only be entered and practised once in possession of certain occupational qualifications (cf. §3 para. 5 BQFG).

<sup>5</sup> In this respect the BQFG is dependent upon the Crafts and Trades Regulation Code and the Vocational Training Act.

try outside the EU or the EEA, this groundwork has been relatively straightforward for him. Consider a Vietnamese primary school teacher, for example, who would like to enquire from abroad as to whether her qualification will allow her to work as primary teacher in Germany and whether she can have her occupational qualification recognised for that purpose. She faces a rather more difficult process despite the good labour market opportunities in this occupation. In contrast to the Polish electrotechnician, who may travel to Germany at any time as an EU citizen and has had unrestricted access to the German labour market since free movement was opened up to workers from new EU Member States in 2011, the Vietnamese woman must first look into obtaining a visa and whether she is allowed to work in Germany at all, prior to applying for a recognition procedure.

A German citizen of Turkish origin who graduated in medicine 30 years ago in Turkey but has never worked in that profession will not, in all probability, obtain a job as a doctor even with a positive certificate of equivalence. People who are trying to obtain recognition of a foreign qualification so that they can work in Germany not only need to know the reference occupation and the conditions of residency and employment law but also the mechanisms and structure of the German labour market, in order to decide whether or not a recognition procedure is actually worthwhile for them. Being able to demonstrate relevant work experience is a decisive factor, for example. But in the same way, it is also important to know whether the occupation practised abroad is actually familiar in Germany and whether there is any demand for it in the German labour market. This should be researched before making an application.

Table Information and advisory provision for individuals seeking recognition

Information online and by telephone		
Form of provision	Contact	Target group
<b>Recognition in Germany – official online portal for the Federal Recognition Act</b>	Federal Institute for Vocational Education and Training (Bundesinstitut für Berufsbildung, BIBB) www.erkennung-in-deutschland.de	Applicants for recognition based in or outside Germany
<b>Telephone hotline on the Recognition Act</b> <b>Advice on rights of residence and abode</b> (service for citizens)	Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) Available Monday to Friday from 09:00h to 15:00h on +49 30 1815-1111. www.bamf.de	Applicants for recognition based in or outside Germany
<b>Advice on and issuing of diploma evaluations</b> for non-German university qualifications not leading to a regulated profession or occupation	Central Office for Foreign Education (Zentralstelle für ausländisches Bildungswesen, ZAB) www.kmk.org	Recognition applicants with academic occupational qualifications based in or outside Germany
<b>Advice on the EU Professional Qualifications Directive</b>		Applicants for recognition based in or outside Germany
Information and guidance in person		
<b>Recognition counselling offices,</b> 34 regional offices, nationwide	“Integration through Qualification” network www.netzwerk-iq.de	Applicants for recognition based in Germany
<b>Law-based guidance on the labour market</b> by the Central Placement Office (Zentrale Auslands- und Fachvermittlung, ZAV)	Federal Employment Agency (Bundesagentur für Arbeit, BA) www.arbeitsagentur.de	Applicants for recognition based outside Germany
<b>Guidance for job-seekers</b> with a foreign vocational qualification, offered by agencies and job centres		Applicants for recognition based in Germany
<b>Guidance for recognition applicants</b> before and during the application process	Competent bodies such as sectoral chambers, district governments etc.  Contact via: http://www.erkennung-in-deutschland.de/html/de/68.php	Applicants for recognition based in or outside Germany
<b>Guidance for recognition applicants</b> before and during the application process	Charitable welfare associations, foundations, refugee guidance centres, migrant organisations  Contact via: http://www.erkennung-in-deutschland.de/html/de/85.php	Applicants for recognition based in or outside Germany

## How information and advisory provision supports individuals seeking recognition

As the examples show, without professional support in the form of competent guidance or sources of clear information, many people who try to obtain recognition of their foreign occupational qualification face major challenges even in completing the groundwork for an application. For this reason, to ensure that individuals living in Germany and abroad can benefit from the new Recognition Act when seeking recognition of their qualifications, the German Federal Government has flanked the Recognition Act's entry into force by reinforcing existing structures and creating new information and guidance services such as the online portal “Recognition in Germany”, from which the three people in the case examples were able to obtain help. But that is not all: assistance is available to individuals seeking recognition from the Länder, from industry and welfare associations and from the labour administration. Online, over the phone or in a face-to-face consultation, individuals seeking recognition can now receive support on their way to submitting an application.

### PRELIMINARY INFORMATION ONLINE AND VIA HOTLINE

Individuals seeking recognition, based in Germany and abroad, can obtain all the basic information before and during their application procedure from the website “Recognition in Germany”,<sup>6</sup> the official online portal for the Federal Recognition Act. The core service of “Recognition

6 The portal “www.erkennung-in-deutschland.de” has been published by BIBB on behalf of the BMBF since April 1, 2012. It is supported within the framework of the „Integration through Qualification (IQ)“ programme, which is jointly funded by the Federal ▶

in Germany” is to act as a digital guide – the Recognition Finder – which guides individuals seeking recognition and their advisers through the jungle of regulations and competences described above. With the help of the portal, for example, the electrotechnician from Warsaw could be pointed in the direction of the right competent body. The Recognition Finder helped him to pin down his reference occupation. All he had to do was enter keywords describing his occupation, like “electrical” and “technician”, into the Finder. He promptly received a selection of possible reference occupations and a description of the tasks that are carried out in these occupations. After selecting the most suitable occupation and picking his chosen locality, he landed on a results page which told him which competent body to apply to and provided its contact details. At the same time, it told him all the other essential information about how the procedure worked, the documents he needed to submit, the legal bases, and advisory provision in his region.

The teacher from Vietnam is dependent upon the Internet as her source of information, since she cannot visit a counselling office in Germany. Because the content of the “Recognition in Germany” portal is available in English as well as German, the website helped her to obtain the necessary information from abroad.

Individuals seeking recognition from Germany and abroad who want to enquire by phone about possible recognition of their occupational qualification can contact the telephone hotline of the Federal Office for Migration and Refugees (BAMF).

#### INFORMATION AND GUIDANCE IN PERSON

The “Integration through Qualification” network supported by the Federal Government (cf. footnote 6) was further expanded as part of the Recognition Act, partly to guarantee that information and guidance for individuals seeking recognition would be available nationwide. So far 34 IQ counselling offices have been established. They provide preliminary information and refer individuals seeking recognition to the relevant competent body (cf. BADERSCHNEIDER/DÖRING in BWP 5/2012). The labour administration, the jobseekers’ benefits agencies and other competent bodies based in chambers or regional administrations are also providing guidance on the new recognition procedures. Furthermore, at regional and municipal level there are numerous advisory and contact centres for migrants which can provide advice on matters including the Federal Recognition Act, drawing upon decades of experience in this field in some cases.<sup>7</sup>

► Ministry of Education and Research (BMBF), the Federal Ministry of Labour and Social Affairs (BMAS) and the Federal Employment Agency (BA).

7 Overview of nationwide information and advisory services in Germany at: <http://www.anerkennung-in-deutschland.de/html/en/8.php>

## Publicise sources of preliminary information

The amount of background knowledge that recognition seekers need to have, merely in order to complete the groundwork for submitting an application, cannot reasonably be taken for granted even if the person has been living in Germany for many years. Particularly for those applicants who have learnt German as a second language or are still in the process of acquiring German language skills, the regulations and conditions for the recognition of foreign qualifications present a particular challenge. It is therefore no wonder that in the early months since the Recognition Act took force, the demand for advice and preliminary information has been extremely high. By comparison, however, only low numbers of applications have been submitted, on the evidence of early reports from the chambers and counselling offices (cf. PFISTER/TREU and KÄMER/WITT in BWP 5/2012).

Another indication of the immense need for basic, preliminary information on the procedure is the heavy use of the newly created “Recognition in Germany” information portal and the telephone hotline of the Federal Office for Migration and Refugees (BAMF), as well as the high demand experienced by the IQ Network’s recognition counselling offices. The “Recognition in Germany” portal received almost 100,000 visitors from Germany and abroad in the first three months. The most frequently used function on the page is the digital guide called the Recognition Finder, which helps individuals seeking recognition to complete the groundwork for submitting an application in a few steps. The high demand recorded by these preliminary sources of information reflects a positive side-effect of the Recognition Act: the media debate has inspired many people with foreign qualifications to consider for the first time or to reconsider the possibilities of having their qualification recognised, and to explore their career prospects in Germany.

To ensure that potential applicants for recognition receive rapid and accurate information, whether they live in Germany or abroad, the counselling offices and information services should be networked with each other effectively. Since the emphasis of each service can be slightly different, this is particularly important so that individuals seeking recognition can be referred, where necessary, to the right information and guidance provision for their situation.

First and foremost, however, all the available guidance and information sources should be publicised more vigorously. This would be beneficial not only for potential recognition applicants but also for the staff of the competent bodies as it would probably enable them to see a larger number of procedures through to a successful conclusion. ■

#### Literature

BADERSCHNEIDER/DÖRING FOHRBECK, KÄMER/WITT, PFISTER/TREU in BWP 5/2012