

INSTRUCTIONS FOR USE OF “BACO-90” (formerly known as “FAX-BACK”)

The term “BACO-90” is a short-hand way of referring to the "Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit" in Germany from the Bundesagentur für Arbeit (BA) in Stuttgart.

- a. What “BACO-90” does: Allows the contractor employee to work in a temporary duty (TDY) status for periods *not to exceed 90 days in any 12-month period* starting with the first day of entry into Germany/Schengen Zone and ending with the date of exit. Once 90 days are exhausted, the contractor employee has to exit the Schengen Zone!
- b. What “BACO-90” does not do: Does *not* authorize logistical support *nor* NATO SOFA privileges (e.g., PX, commissary, fuel rations, etc.).
- c. Process: A “BACO-90” is initiated by the contractor (the company, usually HR), *scanned and emailed* to the Bundesagentur für Arbeit (BA) in Stuttgart. Fax submission only as a last resort!

Email address: Stuttgart.009-OS@arbeitsagentur.de

The BA signs and stamps the form with the German eagle, and emails it back to the originator/requestor. The contractor employee should retain the signed form. The BACO-90 confirmation is required *before* the contractor employee starts to work in Germany!

- (1) It will take up to **10 German working days for the BA** to process the form.
 - (2) The BA will *not* approve a “BACO-90” with a work start date earlier than the date of approval.
 - (3) Do *not* use to support EU citizens, U.S. government civilian employees on TDY, military members or dependents with NATO SOFA status already in Germany.
 - (4) “Place of Work (in Germany)”: List city/area and name of military installation (US base, military unit or Kaserne) to be visited.
 - (5) Formatting Notes:
 - (a) Use the European date format (*dd/mm/yy*)
 - (b) “Place and Date/Ort und Datum” refers to *where* and *when* the requestor (company representative/contractor) signed the form (signatures in Germany typically require place and date to be specified).
- d. Important notes for time periods requested on the “BACO-90” form:
- (1) Fill out the form for the *minimum* time needed for TDY in Germany. It is easier for the BA to approve a new “BACO-90” then try to amend a previous one. If more time is needed, fill out subsequent forms as required for the TDY.
 - (2) To repeat: Total time under “BACO-90” **cannot exceed 90 days in any 12-month period.**
 - (3) For a subsequent “BACO-90”, the company should reference the predecessor “BACO-90” and explain the reason for the update/change.
 - (4) If a correction of an approved “BACO-90” is required, the new request needs to contain a copy of the passport pages reflecting the duration of stay in Germany, and an explanation of the reason for the update/change.
- e. Find the form on the DOCPER website at <http://www.eur.army.mil/Contractor/>. Then download “BACO-90 form for Germany”, save as PDF (it’s fillable).

DOCPER does not administer the “BACO-90” process, but can answer questions.
Write to: usarmy.wiesbaden.usareur.mbx.odcs-g1-docper-baco-90@mail.mil



Antrag auf Bestätigung einer aufenthaltsgenehmigungsfreien Tätigkeit
Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit

Please note: Approval does NOT confer status under NATO Status of Forces Agreement (NATO SOFA) or any associated privileges

Last Name/Nachname			
First Name/Vorname			
Date and Place of Birth/Geburtsdatum/-ort	(dd/mm/yy)		
Nationality/Nationalität			
Passport Number/Paßnummer			
Contract Number/Vertragsnummer			
Company Name/Name des Unternehmens			
Place of Work (US-Installation in Germany)/Ort der Beschäftigung			
Description of Work (in Germany)/Art der Beschäftigung (If appropriate, see further explanation on attached sheet/ ggfs. weitere Beschreibung auf Beiblatt)			
Dates of Work (in Germany)/Zeiten der Tätigkeit	From/von (dd/mm/yy)	Until/bis (dd/mm/yy)	
Fax-Number of Company/Fax-Nr. des Unternehmens			
Email-Address/Email-Adresse			
Place and Date/Ort und Datum			
Name of Company Representative/Name des Bevollmächtigten des Unternehmens			
Signature of Company Representative/Unterschrift des Bevollmächtigten des Unternehmens			
<u>Bestätigung</u>			
<p>Nach Prüfung des vorstehenden Antrages wird bestätigt, das die Tätigkeit des/der o.g. Beschäftigten des o.g. Unternehmens für den genannten Zeitraum eine zustimmungsfreie Beschäftigung in Anlehnung an § 3 (leitende Angestellte mit Generalvollmacht, Prokura usw.) oder nach § 19(1) Beschäftigungsverordnung darstellt. Tätigkeiten, die bis zu 90 Tage innerhalb eines Zeitraumes von 12 Monaten in Deutschland ausgeübt werden, sind nach § 30 der Beschäftigungsverordnung von der Erfordernis einer Aufenthaltserlaubnis befreit.</p>			
Agentur für Arbeit Stuttgart Nordbahnhofstr. 30-34 70191 Stuttgart	Stuttgart, den Datum	Siegel und Unterschrift	