



### **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](mailto: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!



**Please note that due to the European General Data Protection Regulation (EU-GDPR) and Germany’s Federal Data Protection Act (BDSG), the BA is NOT authorized to exchange personal data in UNENCRYPTED emails! If you have not yet registered and provided your e-mail encryption certificate through a link provided by the BA, please contact the BA (e-mail recommended) and you will receive an invitation with further information.**

- (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” than 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](mailto: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**

<b>Last Name/Nachname</b>			
<b>First Name/Vorname</b>			
<b>Date and Place of Birth/Geburtsdatum/-ort</b>	<b>(dd/mm/yy)</b>		
<b>Nationality/Nationalität</b>			
<b>Passport Number/Paßnummer</b>			
<b>Contract Number/Vertragsnummer</b>			
<b>Company Name/Name des Unternehmens</b>			
<b>Place of Work (US-Installation in Germany)/Ort der Beschäftigung</b>			
<b>Description of Work (in Germany)/Art der Beschäftigung (If appropriate, see further explanation on attached sheet/ ggfs. weitere Beschreibung auf Beiblatt)</b>			
<b>Dates of Work (in Germany)/Zeiten der Tätigkeit</b>	<b>From/von (dd/mm/yy)</b>		<b>Until/bis (dd/mm/yy)</b>
<b>Fax-Number of Company/Fax-Nr. des Unternehmens</b>			
<b>Place and Date/Ort und Datum</b>			
<b>Name of Company Representative/Name des Bevollmächtigten des Unternehmens</b>			
<b>I registered with the following email address for the encrypted transmission of data to the Bundesagentur für Arbeit (BA)</b>			
<b>I declare that I agree with an unencrypted transmission of data</b>	<input type="checkbox"/> yes <input type="checkbox"/> no		
<b>Signature of Company Representative/Unterschrift des Bevollmächtigten des Unternehmens</b>			
<b><u>Bestätigung</u></b>			
Nach Prüfung des vorstehenden Antrages wird bestätigt, dass 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.			
Agentur für Arbeit Stuttgart Nordbahnhofstr. 30-34 70191 Stuttgart	Stuttgart, den  Datum	Siegel und Unterschrift	