

99107038039000

Vom Arbeitgeber nach § 11 des Mutterschutzgesetzes bei Beschäftigungsverboten gezahltes Arbeitsentgelt Erstattung

Heruntergeladen am 30.06.2025

<https://fimportal.de/xzufi-services/932485/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99107038039000
Leistungsbezeichnung I	Vom Arbeitgeber nach § 11 des Mutterschutzgesetzes bei Beschäftigungsverboten gezahltes Arbeitsentgelt Erstattung
Leistungsbezeichnung II	Request reimbursement for remuneration paid during maternity leave
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	

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Verrichtungskennung	Erstattung (39)
SDG-Informationsbereich	
Lagen Portalverbund	Schwangerschaft und Elternschaft (2030600)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	18.10.2021
Fachlich freigegeben durch	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
Handlungsgrundlage	https://www.gesetze-im-internet.de/muschg_2018/_11.html https://www.gesetze-im-internet.de/muschg_2018/_18.html https://www.gesetze-im-internet.de/muschg_2018/_19.html https://www.gesetze-im-internet.de/muschg_2018/_20.html https://www.gesetze-im-internet.de/muschg_2018/_21.html https://www.gesetze-im-internet.de/aufag/_1.html
Teaser	When employees are prohibited from working during maternity leave, you as the employer initially incur costs, for example, for maternity pay and employer allowance. You can apply for reimbursement of these costs from the statutory health insurance funds.
Volltext	As an employer, you assume the following costs for the period of maternity leave for your female employees: Maternity pay supplement: • You pay the difference between EUR 13.00 and the average calendar-day pay, reduced by statutory deductions, for the last 3 settled calendar months before the start of the protection period prior to childbirth. • You pay the maternity allowance to an employee whose employment begins during the protection period before or after childbirth from the beginning of the employment relationship. The amount is based on

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the contractually agreed pay.

Payment of maternity protection pay: An employee who may be partially employed or not employed at all outside the protection periods due to the employment ban will also receive maternity protection pay from you. She will receive the average pay for the last 3 settled calendar months prior to the onset of pregnancy.

You can apply to the statutory health insurance funds for full reimbursement of your expenses for

- employer subsidies for maternity pay,
- the remuneration paid as maternity pay in the event of a ban on employment
- the contributions to statutory health, pension and unemployment insurance payable by you on this.

Erforderliche Unterlagen

- Medical certificate stating that the pregnant or breastfeeding employee is not allowed to work or is unable to work
- medical certificate confirming the expected date of birth
- Risk assessment in the case of a company employment ban

Voraussetzungen

- An employee is pregnant or breastfeeding.
- An employment relationship exists.
- The employee is a member of a statutory health insurance fund and is entitled to sick pay.

Kosten

There are no costs for you.

Verfahrensablauf

To be reimbursed for your financial expenses as an employer, you must submit a claim to the person's health insurance company. Note the following steps:

- Immediately after becoming aware of the pregnancy, you must inform the supervisory authority responsible in your federal state. You can find an overview of the supervisory authorities on the website of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ).
- Contact the statutory health insurance fund of the person concerned and submit the application early. If

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	you have any questions, you can contact the employer service of the respective health insurance fund. • You must submit the application for reimbursement to the relevant health insurance fund by secure and encrypted remote data transmission from system-approved programs or by means of automatic completion assistance. Information on this can be obtained from the relevant health insurance fund.
Bearbeitungsdauer	The processing time depends on your employee's health insurance company.
Frist	There are no deadlines.
weiterführende Informationen	The application form can be obtained from the relevant health insurance company of the person concerned. https://www.bmfsfj.de/resource/blob/121856/cc7fb75a1c9fb964117dce8f797f953b/mutterschutz-arbeitgeberleitfaden-data.pdf https://www.krankenkassen.de/gesetzliche-krankenkassen/krankenkassen-liste/ https://www.bmfsfj.de/bmfsfj/themen/familie/familienleistungen/mutterschaftsleistungen/aufsichtsbehoerden-fuer-den-mutterschutz-und-kuendigungsschutz/aufsichtsbehoerden-fuer-mutterschutz-und-kuendigungsschutz-informationen-der-laender-73648
Hinweise	
Rechtsbehelf	• Objection • Appeal. Detailed information on how to file an appeal can be found in the notice of your application. • Administrative court action
Kurztext	• Remuneration paid by the employer in accordance with Section 11 of the Maternity Protection Act during employment prohibitions Reimbursement. • Employers are reimbursed by the health insurance fund for remuneration paid to employees on maternity leave. • Employers must employ pregnant or breastfeeding employees in such a way that they and their child are protected. • Employers pay a maternity allowance for the period of maternity protection

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- Employers pay a maternity allowance if employees are partially or not at all employed due to the ban on employment outside the protection periods and no reorganization of working conditions is possible
- Employers can apply to the statutory health insurance funds for full reimbursement of their expenses for Employer subsidies for maternity pay, the remuneration paid as a maternity protection wage in the case of employment prohibitions, the contributions to statutory health, pension and unemployment insurance payable thereon by the employer.
- Responsible: Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

Ansprechpunkt

Zuständige Stelle

Formulare

The application form can be obtained from the relevant health insurance company of the person concerned.

Ursprungsportal

Vom Arbeitgeber nach § 11 des Mutterschutzgesetzes bei Beschäftigungsverboten gezahltes Arbeitsentgelt Erstattung, Vom Arbeitgeber nach § 11 des Mutterschutzgesetzes bei Beschäftigungsverboten gezahltes Arbeitsentgelt Erstattung