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Applying for an exemption from the ban on working on Sundays and public holidays

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/393907104/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99006001006000, 99006001006000
Leistungsbezeichnung I	Applying for an exemption from the ban on working on Sundays and public holidays
Leistungsbezeichnung II	Applying for an exemption from the ban on working on Sundays and public holidays
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Genehmigung (006)

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SDG-Informationsbereich	
Lagen Portalverbund	Sonderöffnungszeiten und -genehmigungen (2150200), Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	01.09.2022
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS) Ministry of Labor, Social Affairs, Health and Equality of the State of Saxony-Anhalt
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_13.html https://www.gesetze-im-internet.de/arbzg/_13.html https://www.gesetze-im-internet.de/arbzg/_13.html https://www.gesetze-im-internet.de/arbzg/_13.html
Teaser	If you as an employer wish to have employees work in your company or business on a Sunday or public holiday, you require a permit to do so.
Volltext	<p>As an employer, you require a permit from the local authority responsible for occupational health and safety if you wish to work on a Sunday or public holiday. You can apply for a permit to work on Sundays or public holidays for</p> <ul style="list-style-type: none"> • holding in-house and order fairs for commercial resellers. • Preventing disproportionate damage to a business due to special circumstances, such as a very high sickness rate or late delivery of materials. • the statutory stocktaking, if this cannot be carried out on a weekday. <p>If there are other reasons, these will also be examined and work on Sundays or public holidays will be approved if necessary.</p> <p>The general ban on working on Sundays and public holidays does not apply to activities that serve to meet the particularly prominent needs of the population, such as</p>

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- Services of general interest (for example in the care of the sick or the care of animals),
- services (for example in restaurants or cab companies) and
- Leisure activities (for example in theaters, soccer or leisure facilities)
- Use in emergencies and exceptional cases (work that cannot be postponed, such as repairs to burst pipes or storm damage to roofs).

Maximum limits apply for certain exceptions.

Erforderliche Unterlagen

- Statement from the staff or works council (if available)
- Proof that disproportionate damage would occur (e.g. information on contractual penalties, loss of orders and customers, loss of jobs) Damage as a result of the special circumstances is any financial disadvantage that the employer would suffer as a result of the special circumstances. However, not every impending loss is sufficient; it must rather be disproportionate (unacceptable or unreasonable) and go beyond the economic losses that are already caused by the general shutdown on Sundays and public holidays. Concrete, numerical proof is required here.

Voraussetzungen

- You are an employer.
- You have admissible reasons for your application for approval.

Kosten

Gebühr: 25€ - 435€
https://landesrecht.sachsen-anhalt.de/perma?j=GebO_ST_%21_1
 Both the granting and the refusal to grant an exemption from the ban on working on Sundays and public holidays is subject to a fee. The amount of the fees is based on the fee schedule of the locally competent authority.

Verfahrensablauf

You can apply for a permit to work on Sundays and public holidays from your local health and safety authority. The following steps are necessary:

- You submit an application to the competent authority and submit all other required documents.
- If the documents or information required for

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	<p>processing are incomplete, you will be contacted by the processing department.</p> <ul style="list-style-type: none"> • If the requirements for approval are met, you will receive a notice of approval, otherwise a notice of rejection.
Bearbeitungsdauer	
Frist	<p>4 Tag(e)</p> <p>You should submit the application at least 4 working days before the Sundays and public holidays.</p> <p>There is no deadline.</p>
weiterführende Informationen	<p>https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a120-arbeitszeitgesetz.pdf</p> <p>https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a120-arbeitszeitgesetz.pdf</p>
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection • An appeal against the decision can be lodged with the local authority responsible for occupational health and safety within one month of notification. • An unsuccessful appeal is subject to a fee. <p>You can lodge an appeal against the decision within one month.</p>
Kurztext	<ul style="list-style-type: none"> • Exemption from the ban on working on Sundays and public holidays Approval • Exceptions that can be approved are in-house and order fairs for commercial resellers special circumstances that could cause disproportionate damage to a business (e.g. very high sickness rates, late delivery of materials) or • the legally required stocktaking if it cannot be carried out on a weekday • In the case of other reasons, these are examined and Sunday or public holiday work is approved if necessary. • Responsible: locally competent authority for occupational health and safety
Ansprechpunkt	<p>Please contact the State Office for Consumer Protection.</p>

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	If you run a business that is subject to mining supervision, please contact the State Office for Geology and Mining (LAGB).
Zuständige Stelle	
Formulare	
Ursprungsportal	Ausnahme vom Verbot der Sonn- und Feiertagsarbeit beantragen, Applying for an exemption from the ban on working on Sundays and public holidays