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Applying for a different rest period

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/393907124/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99006004017000, 99006004017000
Leistungsbezeichnung I	Applying for a different rest period
Leistungsbezeichnung II	Applying for a different rest period
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte Beschäftigungsbedingungen — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche, Rechte und Pflichten bei Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)

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Lagen Portalverbund	Sonderregelungen der Arbeitszeit (2030700)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.10.2022
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 06.11.2023
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_15.html https://www.gesetze-im-internet.de/arbzg/_15.html
Teaser	Under certain conditions, as an employer you can obtain permission for employees in your company to have rest periods that deviate from working time regulations.
Volltext	In principle, employees have their tried and tested 8-hour day. After the end of the working day, employees are entitled to an uninterrupted rest period of 11 hours. Under certain conditions, as an employer you can have rest periods for employees in your company that deviate from working time regulations approved by the competent supervisory authority in your federal state, namely • for standby duty, on-call duty and on-call duty in the public sector, if there are special circumstances, for example for winter services, and • twice within 3 weeks for shift work in order to achieve a regular weekly shift change. This applies both to the rest period after work on weekdays and after work on Sundays and public holidays. You are not entitled to an exemption permit.
Erforderliche Unterlagen	• Risk assessment (in particular with regard to mental stress due to the different position of the rest period) • Statement from the company doctor • Statement from the works council (if available) • Proof that flexible deployment of employees is necessary either for reasons of public safety and order or for the provision of services of general interest • Schedules for night shifts, showing in particular the

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	opportunities for breaks • Proof that the deviating rest period enables a regular weekly shift change The responsible occupational health and safety office can request further information and documents if required.
Voraussetzungen	• Your employees are employees on standby, on-call duty or on-call duty in the public service of general interest or public safety and order.
Kosten	Gebühr: 120€ - 720€ https://landesrecht.sachsen-anhalt.de/perma?j=GebO_ST_%21_1
Verfahrensablauf	You apply for approval in writing in the following steps: • You submit a corresponding application to the State Office for Consumer Protection. • You submit all the documents required for a decision on your application. • The State Office for Consumer Protection checks the documents for completeness and requests additional documents if necessary. • If you meet all the requirements, you will receive a corresponding approval notice. • If you do not meet the requirements, you will receive a rejection notice. You will receive a notification of fees.
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	You can lodge an appeal against the decision with the competent administrative court within one month of notification.
Kurztext	• Deviation from regulations on rest periods Approval • An application must be made for a rest period that

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	deviates from the Working Hours Act • authorization is only granted under certain conditions • the permit is limited in time • Responsible: local authority responsible for occupational health and safety
Ansprechpunkt	Please contact the State Office for Consumer Protection.
Zuständige Stelle	
Formulare	
Ursprungsportal	Abweichende Ruhezeit beantragen, Applying for a different rest period