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Notify employment of a pregnant or breastfeeding woman

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<https://fimportal.de/xzufi-services/100066717/L100010>

Modul	Sachverhalt
Leistungsschlüssel	99006028261000, 99006028261000
Leistungsbezeichnung I	Notify employment of a pregnant or breastfeeding woman
Leistungsbezeichnung II	
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Saarland
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Entgegennahme (261)
SDG-Informationsbereich	
Lagen Portalverbund	Mitarbeiterbezogene Meldepflichten (2030400), Schwangerschaft und Elternschaft (2030600)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>§ Section 27 (1) of the Maternity Protection Act (MuSchG)</p> <p>https://www.gesetze-im-internet.de/muschg_2018/_27.html</p> <p>https://www.gesetze-im-internet.de/muschg_2018/_27.html</p>
Teaser	<p>If one of your employees has informed you that she is pregnant or breastfeeding, you must inform the competent supervisory authority immediately.</p>
Volltext	<p>As an employer, you are obliged to inform the health and safety authority immediately if you become aware that a pregnant or breastfeeding woman is employed in your company.</p> <p>On the basis of this notification, the health and safety authority is able to monitor compliance with maternity protection regulations.</p> <p>A woman within the meaning of the Maternity Protection Act is any person who is pregnant, has given birth or is breastfeeding. In principle, your employee is free to decide whether and when to inform you of her pregnancy or breastfeeding. You only have to notify the supervisory authority responsible for you once your employee has informed you of her pregnancy.</p> <p>Regardless of the type of employment relationship, the Maternity Protection Act also applies to</p> <ul style="list-style-type: none"> • Women who work part-time, • Women in marginal employment (mini-jobs), • Women with fixed-term employment contracts or in the probationary period, • Women who are in vocational training and trainees, • Women with disabilities who are employed in a workshop for disabled people,

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- women working as volunteers within the meaning of the Youth Volunteer Service Act or the Federal Volunteer Service Act, and
- women who work as members of a spiritual cooperative, deaconesses or members of a similar community in a permanent position or on the basis of an employment contract for them also during the period of their extracurricular training there.

In the notification to the competent supervisory authority, you must state, among other things, the name of the pregnant or breastfeeding woman and the expected date of delivery and provide information on the type of employment.

If you wish to employ the pregnant or breastfeeding woman on Sundays and public holidays, you must also inform the supervisory authority of this.

Once you have notified the supervisory authority of an employee's pregnancy after giving birth, you do not need to make any further notification if your employee returns to work and is breastfeeding.

Important notes:

- You may not disclose information about your employee's pregnancy and breastfeeding period to third parties without authorization (except to those persons in your company who are entrusted with the execution and implementation of protective measures).
- In addition to the duty of disclosure, as an employer you have further obligations, for example regarding health protection in the workplace and benefits during and after pregnancy. If you do not comply with the maternity protection regulations, you may be punished. The supervisory authority can also advise you on maternity protection issues.
- If you wish to employ a pregnant or breastfeeding employee after 8 p.m., you must apply for this separately.

Erforderliche Unterlagen

Modul	Sachverhalt
Voraussetzungen	As soon as your employee has informed you has informed you of her pregnancy or breastfeeding period, you must inform the State Office for Environmental Protection and Occupational Safety.
Kosten	Abgabe: Es fallen keine Kosten an free of charge
Verfahrensablauf	<ul style="list-style-type: none"> • Notification of the employment of a pregnant or breastfeeding woman must be made immediately after the employer becomes aware of this. • You can make this notification using the relevant online service. Among other things, you must provide information about the type and duration of employment as well as the results of the risk assessment for the workplace of your pregnant or breastfeeding employee. • You can also upload the risk assessment for the workplace of your pregnant or breastfeeding employee as part of the online notification to avoid queries from the supervisory authority. • Once the notification has been successfully submitted, you will receive confirmation of receipt by email. • Once the notification has been received, it will be checked on the basis of the Maternity Protection Act. • If further information is required, the processing department will contact you.
Bearbeitungsdauer	2 - 4 Woche(n)
Frist	If your employee has informed you of her pregnancy, you must inform the State Office for Environmental Protection and Occupational Safety immediately.
weiterführende Informationen	<ul style="list-style-type: none"> • Brochure "Employer's guide to maternity protection" from the Federal Ministry for Family Affairs, can be ordered and downloaded from the website of the Federal Ministry for Family Affairs: • Brochure "Guide to maternity protection" from the Federal Ministry for Family Affairs, can be ordered and downloaded from the website of the Federal Ministry for Family Affairs: https://www.bmfsfj.de/bmfsfj/service/publikationen/arbeitgeberleitfaden-zum-mutterschutz-121860

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	https://www.bmfsfj.de/bmfsfj/service/publikationen/leitfaden-zum-mutterschutz-73756 https://www.bmfsfj.de/bmfsfj/service/publikationen/arbeitsgeberleitfaden-zum-mutterschutz-121860 https://www.bmfsfj.de/bmfsfj/service/publikationen/leitfaden-zum-mutterschutz-73756
Hinweise	<p>The Maternity Protection Act does not apply to</p> <ul style="list-style-type: none"> • Self-employed persons, • board members and managing directors of legal entities or companies (unless they are also predominantly employed), • housewives
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Notification of the employment of a pregnant or breastfeeding woman Receipt • Employment of a pregnant or breastfeeding woman must be reported to the competent supervisory authority. • Notification only possible after the woman has reported her pregnancy/breastfeeding period (pregnant woman does not have to report pregnancy/breastfeeding period) • Responsible: State Office for Environmental Protection and Occupational Safety (LUA)
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Notify employment of a pregnant or breastfeeding woman, Beschäftigung einer schwangeren oder stillenden Frau mitteilen