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Apply for deviating regulations for shift operation

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/123949329/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99006005017000, 99006005017000
Leistungsbezeichnung I	Apply for deviating regulations for shift operation
Leistungsbezeichnung II	Apply for deviating regulations for shift operation
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
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 einschließlich Arbeitsstunden, bezahlter Urlaub, Urlaubsansprüche, Rechte und Pflichten in Bezug auf Überstunden,

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	Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	31.10.2022
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS) State Office for Health and Social Affairs 17.04.2024
Handlungsgrundlage	https://www.gesetze-im-internet.de/arbzg/_15.html https://www.gesetze-im-internet.de/arbzg/_15.html https://www.gesetze-im-internet.de/arbzg/_6.html https://www.gesetze-im-internet.de/offshore-arbzbv/_16.html https://www.landesrecht-mv.de/bsmv/document/jlr-ArbVerbrSchKostVMVpP1 https://www.gesetze-im-internet.de/arbzg/_6.html
Teaser	As an employer, you can, under certain conditions, apply for employees in your company to be granted working hours that deviate from the regulations on working hours.
Volltext	<p>As an employer, you can apply for a permit for longer daily working hours for employees in your company under certain conditions.</p> <p>Authorization is provided for by law for</p> <ul style="list-style-type: none"> • continuous shift operations • Construction and assembly sites • seasonal and campaign operations • special activities for the construction, modification or operation of structures, artificial islands or other installations at sea (offshore activities). <p>The application must be submitted to the local competent authority for occupational health and safety.</p> <p>Maximum limits apply to certain exceptions.</p>

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The decision of the competent occupational health and safety authority is made at its own discretion.

As part of this decision, a balance is struck between the interests of protecting the health and safety of employees and the operational interests of the employer.

Erforderliche Unterlagen

- For all companies: Details of the activity Number of employees for whom a permit is to be issued Contact person in the company with contact details Risk assessment (in particular with regard to mental stress caused by longer working hours) Statement from the company doctor Statement from the works council (if available)
- Additionally for continuous shift operations: Duty/shift schedules showing that the extension of working hours will result in additional shifts off. Schedules for day and night shifts, showing in particular the opportunities for breaks.
- Additionally for construction and assembly sites: Information on the nature and severity of the work Organization of working hours Distance between place of work and place of residence Duration of rest period at home
- Additionally for seasonal and campaign companies: Information on the season or campaign Organization of working hours Period in which working hours are reduced.

Voraussetzungen

You can apply to extend the daily working hours of your employees under the following conditions:

- For continuous shift operation, if additional shifts off are achieved. Additional shifts off are deemed to exist if the extension of working hours means that the employees concerned have more consecutive days off than before.
- For construction and assembly sites, particularly relevant if the place of work is far away from the employees' place of residence and the employees are guaranteed a correspondingly longer rest period at their place of residence for the extended working time at the construction or assembly site.
- For your seasonal or campaign operation, if there is

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an exceptional workload during the season or campaign that cannot be absorbed by other organizational measures.

You can only apply for authorization if you are an employer.

Working hours may not exceed 48 hours per week on average over six calendar months or 24 weeks.

Kosten

Gebühr: 50€ - 750€

- A fee is payable for the granting of the permit or the rejection of your application. The fees are country-specific and are calculated according to administrative costs or depend on the number of employees to be employed.

Verfahrensablauf

You can apply in writing for authorization for deviations from shift work. The following steps must be carried out:

- You submit an informal application.
- You send this to the local competent authority, including the required documents.
- If the documents or information required for processing are incomplete, you will be contacted by the processing department.
- The local authority responsible for occupational health and safety will review the application.
- Once the official review has been completed, you will receive a notice of approval or a notice of rejection.
- The local authority responsible will send you the decision by e-mail or post.
- The notification of fees will usually be sent to you later.

The decision of the competent health and safety authority is made at its own discretion. This decision involves weighing up the interests of protecting the health and safety of employees against the employer's operational interests.

Bearbeitungsdauer

Je depending on the amount of work involved in the examination (usually a few weeks after submission of the complete documents).

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Frist	<ul style="list-style-type: none"> • There is no time limit. • If you have submitted an application, extended working hours are only permitted once you have received approval. Retroactive approval cannot be granted.
weiterführende Informationen	
Hinweise	<p>Night work and shift work are regulated by the Working Hours Act. If there are other reasons, these are checked and longer working hours are approved if necessary. An online service has been developed for Hamburg. Individual federal states can apply for shared use of this online service</p> <p>According to the Working Hours Act, exceptions can be granted by the supervisory authority in an area in which regulations are not usually made by collective agreement if this is necessary for operational reasons and the health of the employees is not endangered.</p> <p>This also includes the possibility of extending the working day beyond eight hours, even without compensation, if the working time regularly and to a considerable extent includes standby duty or on-call duty and special regulations ensure that the health of the employees is not endangered.</p>
Rechtsbehelf	<ul style="list-style-type: none"> • Appeal • An unsuccessful appeal procedure is subject to a fee.
Kurztext	<ul style="list-style-type: none"> • Deviation from regulations on shift work; authorization • In deviation from the regulations on working hours, the following exceptions may be granted: continuous shift operations construction and assembly sites seasonal and campaign operations special activities for the construction, modification or operation of structures, artificial islands or other installations at sea (offshore activities). • Responsible: locally competent authority for occupational health and safety • Responsible in M-V: State Office for Health and Social Affairs (LAGuS)

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Ansprechpunkt	
Zuständige Stelle	<p>State Office for Health and Social Affairs (LAGuS) in Mecklenburg-Vorpommern</p> <p>https://www.lagus.mv-regierung.de/Arbeitsschutz/Standorte-und-Kontakt</p> <p>https://www.lagus.mv-regierung.de/Arbeitsschutz/Standorte-und-Kontakt</p>
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance necessary: No</p> <p>Online service available: No</p>
Ursprungsportal	<p>Abweichende Regelungen zum Schichtbetrieb beantragen, Apply for deviating regulations for shift operation</p>