

99006054273000, 99006054273000

Apply for an exemption from the ban on overtime and night work for pregnant or breastfeeding women

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/130037379/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99006054273000, 99006054273000
Leistungsbezeichnung I	Apply for an exemption from the ban on overtime and night work for pregnant or breastfeeding women
Leistungsbezeichnung II	
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Ausnahmebewilligung (273)
SDG-Informationsbereich	Gesetzlich oder durch Rechtsverordnung geregelte

Modul	Sachverhalt
	Beschäftigungsbedingungen — auch für entsandte Arbeitnehmer — (einschließlich Informationen über Arbeitsstunden, bezahlten Urlaub, Urlaubsansprüche, Rechte und Pflichten bei Überstunden, Gesundheitskontrollen, Beendigung von Verträgen, Kündigung oder Entlassungen)
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	17.04.2024
Fachlich freigegeben durch	State Office for Health and Social Affairs
Handlungsgrundlage	§ Section 29 (3) no. 1 Maternity Protection Act (MuSchG) https://www.gesetze-im-internet.de/muschg_2018/_29.html § Section 29 (3) no. 8 Maternity Protection Act (MuSchG) https://www.gesetze-im-internet.de/muschg_2018/_29.html
Teaser	You must obtain approval for exceptions to the ban on night work and overtime as well as the type and pace of work for pregnant or breastfeeding women.
Volltext	You are prohibited from employing a pregnant or breastfeeding woman in night work or overtime. In addition, you may not employ pregnant or breastfeeding women in the following activities: • assembly line work • piecework • Other work in which higher pay can be achieved in return for a higher pace of work You can apply for an exemption from the authority responsible for occupational health and safety.

Modul

Sachverhalt

Night work is defined as work between 10 pm and 6 am. Pregnant or breastfeeding women in training are excluded from night work.

If you employ a pregnant or breastfeeding woman aged 18 or over, this is referred to as overtime if she:

- over 8.5 hours a day
- over 90 hours in a double week (including Sundays)
- the contractually agreed weekly working hours exceed the monthly average

works more than the monthly average.

If you employ a pregnant or breastfeeding woman under the age of 18, this is considered overtime if she:

- over 8 hours a day
- over 80 hours in a double week (including Sundays)
- the contractually agreed weekly working hours exceed the monthly average

works more than the monthly average.

If there are other employers in addition to you, the working hours must be added together.

Erforderliche Unterlagen

- Medical certificate
- Declaration of consent from the pregnant or breastfeeding woman. The woman can revoke her declaration at any time.

Voraussetzungen

- You can only submit the application if you are an employer.
- The pregnant or breastfeeding woman expressly declares her willingness to do so.
- A medical certificate must not speak against night work, overtime, piecework or continuous flow work.
- An irresponsible risk to the pregnant woman due to working alone, the type of work and the pace of work is excluded.
- An irresponsible risk to the child due to working alone, the type of work and the pace of work is excluded.

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Kosten	Gebühr: 50€ - 750€ https://www.landesrecht-mv.de/bsmv/document/jlr-ArbVerbrSchKostVMVpP1 The fees are charged on a time and material basis. Please enquire at the supervisory authority responsible for your federal state about the processing fees incurred. The exact costs will be determined following approval.
Verfahrensablauf	You can apply in writing for permission to be exempted from the ban on overtime, night work, flow work and piecework. You can apply for approval in writing: - Describe your request informally. - Send your application to the local authority responsible for occupational health and safety, including the necessary documents and evidence. - If the documents or information required for processing are incomplete, you will be contacted immediately by the processing department. - The local competent authority will check the documents and the circumstances of the individual case. - If approval is granted, you will receive a notice of approval and only then may the woman be employed. The approval notice can be conditions that must be observed during employment. - If the conditions for approval are not met, you will receive a rejection. You will receive a notice of rejection.
Bearbeitungsdauer	The processing time depends on the individual case determination.
Frist	The application must be submitted by the pregnant or breastfeeding woman before taking up employment.
weiterführende Informationen	Brochure "Guide to maternity protection" https://www.bmfsfj.de/bmfsfj/service/publikationen/leitfaden-zum-mutterschutz-73756 Brochure "Employer's guide to maternity protection" https://www.bmfsfj.de/bmfsfj/service/publikationen/arbeitgeberleitfaden-zum-mutterschutz-121860

Modul	Sachverhalt
Hinweise	This procedure for authorizing an exception to the ban on overtime, night work, continuous flow work and piecework does not replace notification in accordance with the Maternity Protection Act. Please use the forms available for this purpose.
Rechtsbehelf	Contradiction
Kurztext	• Exemption from the ban on overtime and the ban on night work in special cases, as well as the type of work and the pace of work Authorization • An exception for the employment of a pregnant or breastfeeding person in night work, overtime, the type of work and the pace of work must be approved by the competent occupational health and safety authority • Responsible: local authority responsible for occupational health and safety • responsible: State Office for Health and Social Affairs
Ansprechpunkt	
Zuständige Stelle	State Office for Health and Social Affairs (LAGuS) in Mecklenburg-Vorpommern https://www.lagus.mv-regierung.de/Arbeitsschutz/Standorte-und-Kontakt https://www.lagus.mv-regierung.de/Arbeitsschutz/Standorte-und-Kontakt
Formulare	
Ursprungsportal	Ausnahme vom Verbot der Mehrarbeit und vom Verbot der Nachtarbeit für schwangere oder stillende Frauen beantragen, Apply for an exemption from the ban on overtime and night work for pregnant or breastfeeding women